

I N D E X
BOARD OF TRANSPORTATION MEETING
December 2, 2004

	<u>Page No.</u>
Call to Order and Invocation	12093
Approval - Minutes of November Board Meeting	12093
Approval - Award of Highway Construction Contracts in the November 2004 Letting	12093
Approval – Concurrence in Award – Research Triangle Foundation of NC	12098
Approval – Concurrence in Award – City of Charlotte	12099
Approval – Concurrence in Award – City of Lexington	12099
Approval – Concurrence in Award Piedmont Triad Regional Water Authority	12099
Approval – Concurrence in Award Piedmont Triad Regional Water Authority	12100
Approval – Design Build Project in Cumberland County	12100
Approval – Design Build Project in Rowan County	12101
Approval - Award of Contracts to Private Firms for Engineering Services - Design	12101
Approval – Award of Contract to Private Firms for Engineering Services Information Technology – GIS Branch	12106
Approval – Award of Contracts to Private Firms for Engineering Services – Construction	12107
Approval – Award of Contract to Private Firms for Engineering Services – Project Development and Environmental Analysis Branch	12108
Approval – Funds for Secondary Road Improvement Projects	12109
Approval – Funds for Access and Public Service Road Projects	12111

Approval – Additions, Abandonments, and Road Name Changes to State Secondary Road System	12112
Approval – Funds for Specific Divisionwide Small Urban Construction Projects and Statewide Contingency Fund Projects	12116
Approval – 2004 Public Transportation Program	12119
Approval – 2004 Rail Program	12126
Approval – Funds for NC Moving Ahead Bicycle Project	12128
Approval – Specific State Funds for Construction Projects	12128
Approval - Specific North Carolina Trust Funds and Bond Funds - Intrastate System and Urban Loops	12130
Approval – Funds for Specific Spot Safety Improvement Projects	12132
Approval – Funds for Specific Federal-Aid Projects	12134
Approval – Revisions to the 2004-2010 TIP	12142
Approval – Municipal and Special Agreements	12145
Approval – State Highway System Changes	12164
Approval - Preliminary Right of Way Plans	12165
Approval – Final Right of Way Plans	12169
Approval – Conveyance of Highway Right of Way Residue	12172
Approval – Conveyance of Surplus Highway Right of Way	12173
Approval – Advance Acquisition of Highway Right of Way	12174
Approval – Authorization to Condemn Right of Way for Secondary Road Project	12175
Approval – Recommended Transfer of FY 2004-05 Contract Resurfacing Funds	12176
Approval – Senate Bill 1005 Discretionary Fund	12176
Approval – Update of the Greensboro Urban Area Metropolitan Planning Organization Thoroughfare Plan	12177
Approval – Town of Norlina Thoroughfare Plan	12178

Approval – Fayetteville Urban Area Metropolitan Planning Organization and Cumberland County Rural Area Highway Plan	12179
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Additional Business

Approval – Administrative Code Change Regarding Prequalification: Advertising and Bidding Regulations	12181
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Adjournment	12200
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BOARD OF TRANSPORTATION MEETING

December 2, 2004

Call to Order

Chairman Galyon called the meeting of the Board of Transportation to order at 9:10 a.m., Thursday, December 2, 2004 in Raleigh, North Carolina with the following members present:

Betts, Burrell, Campbell, Collier, Cowell, Cox, Dunn, Erby, Galyon, Helms, Kindley, Myers, Perkins, Sewell, Szlosberg, White, Wilson

Members Marvin Blount and Cam McRae were absent.

Invocation

The invocation was offered by Board Member Burrell

Approval - Minutes of November 4, 2004 Board Meeting

The minutes of the November 4, 2004 Board of Transportation Meeting were unanimously approved upon a motion by Board Member Sewell and was seconded by Board Member Perkins.

Approval - Award of Highway Construction Contracts in the November 2004 Letting

State Highway Administrator Len Sanderson reviewed projects advertised in the November 2004 letting, noting on the basis of the low bids received that 34 projects would cover all the work in the letting. After review of the projects, the following actions on award of contracts were taken:

- (1) On Project C200825, 32780.3.2, Durham & Chatham Counties, (B-2963), the low bidder withdrew their bid; therefore the project was awarded to the 2nd low bidder, C. C. Mangum.
- (2) Project C201010, 34885.3.2, Cumberland County, (U-2912), the Board rejected all bids. Project will be re-advertised.

- (3) Project C201311, 34632.3.1, Orange County, (R-4468A), the Board rejected all bids. Project will be re-advertised.
- (4) Project C201318, 33120.3.1, Randolph County, (B-3506), the Board rejected all bids. Project will be re-advertised.
- (5) Project C201067, 34799.3.1, Gaston County, (U-2408), the Board rejected all bids. Project will be re-advertised.
- (6) Upon a motion by Board Member Kindley, seconded by Board Member Dunn, the vote was unanimous to award the contracts on the remaining highway construction contracts to the respective low bidders.

Award of all contracts covering the use of Federal-aid highway funds is subject to concurrence by the Federal Highway Administration.

Project	Contract Awarded To	Amount
C201305 34540,39236, 3CR.20311.14, 3CR.20821.14 DUPLIN, SAMPSON R-3409D	BARNHILL CONTRACTING CO. TARBORO, NC	\$7,296,612.93
C201307 39181, 39190, 3CR.10101.12, 3CR301024.12 BRUNSWICK	BOGGS PAVING, INC. MONROE, NC	\$4,798,524.76
C200964 33322.3.2 NASH B-3879	SANFORD CONTRACTORS, INC. SANFORD, NC	\$1,762,113.97
C201124 33487.3.1 HALIFAX B-4134	ATWELL CONSTRUCTION CO., INC. GREENVILLE, NC	\$570,750.61
C201238 36691.3.1 JOHNSTON, WILSON I-3605	S. T. WOOTEN CORPORATION WILSON, NC	\$20,419,062.00
C200825 32780.3.2 DURHAM, CHATHAM B-2963	C. C. MANGUM COMPANY, LLC RALEIGH, NC	\$2,012,486.60

C201192 34512.3.1 DURHAM R-2904	C. C. MANGUM COMPANY, LLC RALEIGH, NC	\$3,579,727.08
C201322 5CR.10931.3, 5CR.20931.3, 5CR.309328.3 WARREN	S. T. WOOTEN CORPORATION WILSON, NC	\$693,590.69
C201323 5CR.10731.3, 5CR.20731.3, 5CR.307322.3 PERSON	THOMPSON ARTHUR DIVISION OF APAC-ATLANTIC, INC. GREENSBORO, NC	\$1,478,733.14
C200970 34336.3.8 ROBESON R-513A, R-513BA	R. E. GOODSON CONST. CO., INC. DARLINGTON, SC	\$76,260,034.75
C201321 39398, 6CR.10781.13, 6CR.20781.13, 6CR.307827.13, 6CR.307830.13, 6CR.307835.13, 6CR.307837.13, 6CR.307838.13 ROBESON	BARNES PAVING CO., INC. LUMBERTON, NC	\$3,198,699.39
C201317 37971, 6CR.10091.12, 6CR.10241.12, 6CR.20091.12, 6CR.20241.12, 6CR.300903.12, 6CR.300909.12, 6CR.302408.12, 6CR.302423.12, 6CR.302441.12, 6CR.302442.12 BLADEN, COLUMBUS	BARNES PAVING CO., INC. LUMBERTON, NC	\$4,378,353.13

C201316 39400, 6CR.10431.11, 6CR.20261.11, 6CR.20431.11, 6CR.302620.11, 6CR.302644.11, 6CR.304310.11, 6CR.304324.11, 6CR.304349.11 HARNETT, CUMBERLAND	JOHNSON BROTHERS UTILITY & PAVING CO., INC. LILLINGTON, NC	\$5,843,341.39
C201285 37427 ORANGE	LARCO CONSTRUCTION, A DIV. OF NELLO L. TEER. CO. WINSTON-SALEM, NC	\$965,104.67
C201286 39278 GUILFORD	RILEY PAVING, INC. CARTHAGE, NC	\$1,240,324.06
C201287 39280 GUILFORD	THOMPSON ARTHUR DIVISION OF APAC-ATLANTIC, INC. GREENSBORO, NC	\$1,213,078.21
C201312 7CR.10171.5, 7CR.10791.5, 7CR.20171.5, 7CR.20791.5, 7CR.307915.5, 7CR.307918.5, 7CR.307933.5 CASWELL, ROCKINGHAM	THOMPSON ARTHUR DIVISION OF APAC-ATLANTIC, INC. GREENSBORO, NC	\$1,173,958.25
C201313 7CR.10011.5, 7CR.20011.5, 7CR.300101.5, 7CR.300105.5, 7CR.300106.5, 7CR.300132.5, 7CR.304106.5 ALAMANCE, GUILFORD	RILEY PAVING, INC. CARTHAGE, NC	\$1,291,041.94
C201314	LARCO CONSTRUCTION, A DIV. OF	\$1,225,340.36

7CR.10681.3, 7CR.20171.3, 7CR.20681.3, 7CR.306802.3, 7CR.306811.3 ORANGE, CASWELL	NELLO L. TEER CO. WINSTON-SALEM, NC	
C201315 7CR.10411.7, 7CR.20411.7, 7CR.304108.7, 7CR.304110.7 GUILFORD	BLYTHE CONSTRUCTION, INC. CHARLOTTE, NC	\$1,595,985.31
C201319 33235.2.2 ROCKINGHAM B-3695	MOUNTAIN CREEK CONTRACTORS, LLC. CLAREMONT, NC	\$692,645.93
C200895 34431.3.6 LEE R-2417BB	SANFORD CONTRACTORS, INC. SANFORD, NC	\$18,528,334.19
C201069 34468.3.3 DAVIDSON R-2568B	BLYTHE CONSTRUCTION, INC. CHARLOTTE, NC	\$16,578,884.44
C201071 33454.2.2 DAVIDSON B-4096	DANE CONSTRUCTION, INC MOORESVILLE, NC	\$1,686,373.36
C201263 38741.3.1 CABARRUS I-4736	BLYTHE CONSTRUCTION, INC. CHARLOTTE, NC	\$1,845,530.00
C201210 34209.2.3 SURRY, YADKIN I-4025A	DLB, INC. D/B/A DLB. INC., (OF VA.) HILLSBILLE, VA	\$9,378,095.37
C200910 34383.3.4 LINCOLN R-2206B	SCURRY CONSTRUCTION, INC. CORNELIUS, NC	\$18,862,697.64
C200911	NO BIDDERS	

34383.3.6
CATAWBA, LINCOLN
R-2206C

C201309 34383.3.4, 34383.3.6 LINCOLN, CATAWBA R-2206B, R-2206C	MCANINCH CORPORATION WEST DES MOINES, IA	\$40,448,231.65
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C201073 33212.3.1 JACKSON B-3667	R. E. BURNS & SONS CO., INC. STATESVILLE, NC	\$698,951.50
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C201306 33093.3.1 HENDERSON B-3475	MCCARROLL CONSTRUCTION, INC. ARDEN, NC	\$828,283.30
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Concurrence in Award – Research Triangle Foundation of NC

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in concurring with the Research Triangle Foundation of NC in the award of the following project:

Project	Contract Awarded To	Amount
U-4410C WAKE	ATWELL CONSTRUCTION , INC.	\$2,433,520.00

Concurrence in Award – City of Charlotte

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in concurring with the City of Charlotte in the award of the following project:

Project	Contract Awarded To	Amount
32678.3.3 MECKLENBURG B-2591	DANE CONSTRUCTION, INC.	\$1,670,114.08

Concurrence in Award – City of Lexington

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in concurring with the City of Lexington in the award of the following project:

Project	Contract Awarded To	Amount
32993.3.1 DAVIDSON B-3324	DANE CONSTRUCTION, INC.	\$1,087,702.85

Concurrence in Award – Piedmont Triad Regional Water Authority

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in concurring with the Piedmont Triad Regional Water Authority in the award of the following project:

Project	Contract Awarded To	Amount
33290.2.1 GUILFORD B-3842	BLYTHE CONSTRUCTION, INC.	\$2,876,009.67

Concurrence in Award – Piedmont Triad Regional Water Authority

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in concurring with the Piedmont Triad Regional Water Authority in the award of the following project:

Project	Contract Awarded To	Amount
33293.3.1 GUILFORD B-3845	BLYTHE CONSTRUCTION, INC.	1,310,188.96

Approval – Design Build Project in Cumberland County

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in approving the Design Build Project in Cumberland County as follows:

Project	Contract Awarded To	Amount
C201310 34917.3.3 CUMBERLAND U-3311B	BARNHILL CONTRACTING, CO. TARBORO, NC	\$21,829,375.76

Approval – Design Build Project in Rowan County

Pursuant to the recommendation of State Highway Administrator Len Sanderson, a motion was made by Board Member Kindley, seconded by Board Member Dunn, and the vote was unanimous in approving additional time for the low bid to be evaluated in comparison with the engineer's estimate for the Design Build Project in Rowan County. The Board delegated authority to the Secretary of Transportation to award or reject the project based on the appropriate recommendation from the Bid Review Committee.

Project	Contract Awarded To	Amount
C200929 34163.3.10 ROWAN I-2511CB	BLYTHE CONSTRUCTION, INC.	\$84,232,960.00

Approval - Award of Contracts to Private Firms for Engineering Services Highway Design Branch

Following the recommendation of State Highway Engineer Art McMillan, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to award the following contracts. Award of contracts is subject to approval by the Advisory Budget Commission pursuant to G.S. 136-28(f).

DIVISION 11

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|------------------------------|--|
| (1) Project: | 33380.1.1 (B-4012) Ashe County
Design of Bridge No. 117 over North Fork New
River on SR 1118 |
| Scope of Work: | Roadway and Hydraulic Design |
| Estimated Construction Cost: | \$800,000.00 |
| Firm: | Wetherill Engineering, Inc., Raleigh, NC |
| Maximum Engineering Fee: | \$69,985.07 |
| DBE Utilization: | Wetherill Engineering \$31,969.11
46% |
-
- | | |
|--------------|--------------------------------|
| (2) Project: | 33381.1.1 (B-4013) Ashe County |
|--------------|--------------------------------|

Scope of Work:	Design of Bridge No. 338 over Roaring Fork Creek on SR 1320	
Estimated Construction Cost:	Roadway and Hydraulic Design \$430,000.00	
Firm:	Wetherill Engineering, Inc., Raleigh, NC	
Maximum Engineering Fee:	\$47,912.17	
DBE Utilization:	Wetherill Engineering	\$26,672.45 56%

DIVISION 13

(3) Project:	33667.1.1, BRZ-1158(3) (B-4330) Yancey County Design of Bridge No. 289 over Colbert Creek on SR 1158	
Scope of Work:	Roadway and Hydraulic Design	
Estimated Construction Cost:	\$525,000.00	
Firm:	Ramey Kemp & Associates, Inc., Raleigh, NC	
Maximum Engineering Fee:	\$43,343.27	
DBE Utilization:	0%	

The following item is a Professional Services Contract. This contract is necessary due to revising the permit drawings and erosion control plans to conform with the revised wetland boundary files after the original contract was closed. This work was unknown at the inception and is required of the firm to complete the design. The following is for information only.

DIVISION 6

(4) Project:	34760.1.1 (U-620) Cumberland County Design of Hope Mills Bypass from SR 1141 (Bingham Drive) to SR 1132 (Legion Road) at SR 1363 (Elk Road)	
Scope of Work:	Roadway and Hydraulic Design	
Estimated Construction Cost:	\$24,987,409.00	
Firm:	Carter & Burgess, Inc., Raleigh, NC	
Maximum Engineering Fee:	\$13,490.26	
DBE Utilization:	0%	

The following items are supplemental contracts to previous contracts approved by the Board with the same engineering firms. These supplemental contracts were necessary due to approved additional work that was unknown at the inception and is required of the firms to complete the designs.

DIVISION 10

(5) Project:	34410.1.22 (R-2248D) Mecklenburg County Design of I-485 (Charlotte Outer Loop) from east of SR 2042 (Oakdale Road) to east of NC 115 (Old Statesville Road)	
Estimated Construction Cost:	\$94,081,556.00	
Firm:	Stantec Consulting Services, Inc., Raleigh, NC	

Current Maximum Engineering Fee:	\$2,063,245.67
Supplemental Fee:	\$1,906.52
Supplemental Work:	Roadway Design
DBE Utilization:	0%

(6) Project:	34813.1.1 (U-2510A) Mecklenburg-Union Counties Design of NC 16 (Old Providence Road) in Charlotte from NC 84 in Union County to south of SR 3626 (Robinson Store Road) and SR 3445 (Tilley Road) in Mecklenburg County
Estimated Construction Cost:	\$12,175,000.00
Firm:	TranSite Consulting Engineers, Inc, Raleigh, NC
Original Maximum Engineering Fee:	\$327,437.06
Supplemental Fee:	\$51,399.89
Supplemental Work:	Roadway and Hydraulic Design
DBE Utilization:	0%

The following item is a supplemental contract to a previous contract approved by the Board with the same engineering firm. This supplemental contract was necessary due to approved additional work that was unknown at the inception and is required of the firm to complete the design. This supplemental contract does not exceed 10% of the original contract; therefore, the State Highway Design Engineer has executed it as approved by the Board on June 6, 2002. The following item is for information only.

DIVISION 8

(7) Project:	34542.1.1 (R-3421A) Richmond County Design of US 220 Bypass from US 74 Bypass west of Rockingham at SR 1109 (Zion Church Road) Interchange to south of SR 1140 (Old Charlotte Highway)
Estimated Construction Cost:	\$35,700,000.00
Firm:	Greenhorne & O'Mara, Inc., Raleigh, NC
Original Maximum Engineering Fee:	\$190,856.23
Supplemental Fee:	\$12,299.85
Supplemental Work:	Roadway Design
DBE Utilization:	0%

The following contracts are for private engineering testing firms to perform geotechnical investigation services on various projects across the state on an as needed basis. These contracts will expire after one year from the date of execution or whenever the contract amount has been depleted, whichever occurs first.

STATEWIDE

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|------|--------------------------|--|
| (8) | Maximum Engineering Fee: | \$250,000.00 |
| | Firm: | Catlin Engineers and Scientists, Wilmington NC |
| | DBE Utilization: | 0% |
| (9) | Maximum Engineering Fee: | \$250,000.00 |
| | Firm: | CTL Engineering, Inc. Durham, NC |
| | DBE Utilization: | 100% |
| (10) | Maximum Engineering Fee: | \$250,000.00 |
| | Firm: | Engineering Consulting Services, Ltd.,
Greensboro, NC |
| | DBE Utilization: | 0% |
| (11) | Maximum Engineering Fee: | \$250,000.00 |
| | Firm: | Engineering Tectonics, PA, Winston-Salem, NC |
| | DBE Utilization: | 0% |
| (12) | Maximum Engineering Fee: | \$500,000.00 |
| | Firm: | Florence & Hutcheson, Inc., Raleigh, NC |
| | DBE Utilization: | 0% |
| (13) | Maximum Engineering Fee: | \$500,000.00 |
| | Firm: | Froehling & Robertson, Inc., Raleigh, NC |
| | DBE Utilization: | 0% |
| (14) | Maximum Engineering Fee: | \$500,000.00 |
| | Firm: | Geoscience Group, Inc., Charlotte, NC |
| | DBE Utilization: | Ameridrill, Hendersonville, NC \$250,000.00
50% |
| (15) | Maximum Engineering Fee: | \$1,000,000.00 |
| | Firm: | MACTEC Engineering & Consulting, Inc.,
Raleigh, NC |
| | DBE Utilization: | 0% |
| (16) | Maximum Engineering Fee: | \$1,000,000.00 |
| | Firm: | S&ME, Inc., Raleigh, NC |
| | DBE Utilization: | 0% |
| (17) | Maximum Engineering Fee: | \$250,000.00 |
| | Firm: | Tierra, Inc., Raleigh, NC |
| | DBE Utilization: | 100% |

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|------|--------------------------|--|
| (18) | Maximum Engineering Fee: | \$250,000.00 |
| | Firm: | Titan Atlantic Group, Raleigh, NC |
| | DBE Utilization: | 0% |
| (19) | Maximum Engineering Fee: | \$1,000,000.00 |
| | Firm: | Trigon Engineering Consultants, Greensboro, NC |
| | DBE Utilization: | 0% |

The following contracts are for private engineering firms to perform hydraulic services on various projects across the state on an as needed basis. These contracts will expire after one year from the date of execution or whenever the contract amount has been depleted, whichever occurs first.

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| (20) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | ARCADIS, G&M of NC, Inc., Raleigh, NC |
| | DBE Utilization: | 0% |
| (21) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Mulkey Engineers and Consultants, Cary, NC |
| | DBE Utilization: | 0% |
| (22) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Ko & Associates, Raleigh, NC |
| | DBE Utilization: | 100% |
| (23) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Rummel, Klepper & Kahl, Raleigh, NC |
| | DBE Utilization: | 0% |
| (24) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Sungate Design Group, Raleigh, NC |
| | DBE Utilization: | 0% |
| (25) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Hayes, Seay, Mattern & Mattern, Raleigh, NC |
| | DBE Utilization: | 0% |
| (26) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Greenhorne & O'Mara, Raleigh, NC |
| | DBE Utilization: | 0% |
| (27) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Kimley-Horn Associates, Raleigh, NC |
| | DBE Utilization: | 0% |
| (28) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | HDR Engineering, Inc., Raleigh, NC |
| | DBE Utilization: | 0% |

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|------|--------------------------|--|
| (29) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | Stantec Consulting Services, Inc., Raleigh, NC |
| | DBE Utilization: | 0% |
| | | |
| (30) | Maximum Engineering Fee: | \$300,000.00 |
| | Firm: | KCI Associates of North Carolina, PA,
Raleigh, NC |
| | DBE Utilization: | 0% |

**Approval - Award of Contract to Private Firms for Engineering Services
Information Technology – GIS Branch**

Following the recommendation of Director of the GIS Unit Forrest Robson, a motion was made by Board Member Erby, seconded by Board Member Burrell, an the vote was unanimous to award the following contract. Award of contracts is subject to approval by the Advisory Budget Commission pursuant to G.S. 136-28(f).

STATEWIDE

Project:	Various Database implementation and integration
Scope of Work:	Database implementation: provide technical assistance in database development, testing, and implementation; Database integration: assist the GIS Branch and other branches in the integration of their existing data, the planning for integration of future data, and design training for using the database
Firm:	William J. Rasdorf, Ph.D., P.E., Raleigh, NC
Maximum Engineering Fee:	\$29,500.00
DBE Utilization:	0%

Approval - Award of Contracts to Private Firms for Engineering Services Construction

Following the recommendation of Steve Dewitt, Director of Construction, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to award the following contracts. Award of contracts is subject to approval by the Advisory Budget Commission pursuant to G.S. 136-28(f).

DIVISION 4

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|-----|--------------------------|--|
| (1) | Project: | Various |
| | Scope of Work: | Assessment of quality control/quality
Assurance technicians who perform tests on
Asphalt mixes utilized in highway maintenance
And construction |
| | Firm: | Volkert & Associates, Inc., Cary, NC |
| | Maximum Engineering Fee: | \$150,000.00 |
| | DBE Utilization: | 0% |

DIVISION 5

- | | | |
|-----|--------------------------|--|
| (2) | Project: | Various |
| | Scope of Work: | Assessment of quality control/quality
assurance technicians who perform tests on
asphalt mixes utilized in highway maintenance
and construction |
| | Firm: | Rummel, Klepper & Kahl, LLP, Raleigh, NC |
| | Maximum Engineering Fee: | \$150,000.00 |
| | DBE Utilization: | 0% |

**Approval - Award of Contracts to Private Firms for Engineering Services
Project Development and Environmental Analysis Branch**

Following the recommendation of Greg Thorpe, Manager of Project Development and Environmental Analysis Branch, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to award the following contracts. Award of contracts is subject to approval by the Advisory Budget Commission pursuant to G.S. 136-28(f).

The following items are supplemental contracts to previous contracts approved by the Board with the same engineering firm. These supplemental contracts were necessary due to approved additional work that is required of the firms to complete the environmental studies.

DIVISIONS 1, 3, 4, 5 & 7

(1) Project:	BRIDGE GROUP 36
	33223.1.1 (B-3681) Nash-Edgecombe Counties
	33305.1.1 (B-3858) Hyde County
	33335.1.1 (B-3899) Rockingham County
	33341.1.1 (B-3906) Sampson County
	33350.1.1 (B-3916) Wake County
	33566.1.1 (B-4222) Pasquotank County
	33611.1.1 (B-4270) Sampson County
	33636.1.1 (B-4299) Wake County
	33657.1.1 (B-4320) Wayne-Duplin Counties
	33740.1.1 (B-4515) Franklin County
Supplemental Work:	Development of functional design plans for bridge replacement alternatives, coordination and planning services to complete NEPA process
Firm:	Ramey Kemp & Associates, Inc., Raleigh, NC
Original Maximum Engineering Fee:	\$300,000.00
Supplemental Fee:	\$ 75,000.00
DBE Utilization:	0%

DIVISION 12

(2) Project:	34192.1.2 (I-3819) Iredell County
	I-40/I-77 Interchange Area in Statesville
Supplemental Work:	Planning, environmental and engineering studies related to the preparation of an EA and FONSI
Firm:	URS Corporation, Morrisville, NC
Original Maximum Engineering Fee:	\$400,000.00
Supplemental Fee:	\$500,000.00
DBE Utilization:	Simon Resources \$25,000.00
	5%
	SEPI Engineering \$35,000.00
	7%

DIVISION 14

(3) Project:	34475.1.1 (R-2594) Transylvania County NC 215 from US 64 at Cherryfield to SR 1326 south of Balsam Grove		
Supplemental Work:	Additional natural and cultural resources; additional noise and air studies; indirect and cumulative impact analysis; design revisions (impacts minimization and design standard changes); Final EIS; ROD; workshops and design public hearing		
Firm:	Buck Engineering, Cary, NC		
Original Maximum Engineering Fee:	\$1,300,000.00		
Supplemental Fee:	\$ 700,000.00		
DBE Utilization:	Ko and Associates		\$195,000.00
	28%		
	Legacy		\$ 30,000.00
	4%		

Approval – Funds for Secondary Road Improvement Projects

Director of Asset Management Lacy Love reviewed secondary road improvement projects and recommended Board approval. A motion was made by Board Member Wilson, seconded by Board Member White, and the vote was unanimous to approve the following secondary road improvement projects:

Highway Fund

County	SR No	Length (Miles)	Description	Estimated Cost
Halifax Div. 4	Ruth Road	0.08	Upgrade to acceptable maintenance condition New addition Property Owners Participation WBS 4C.042041	\$800.00
Harnett Div. 6	2138 D L Phillips Road	0.69	Grade, drain, base, pave Increase funds Supp WBS 6C.043054	\$39,354.16

Closings:

Division	County	WBS Element	Road Number	Amount
8	Montgomery	8C.062001	1547	\$76,884.85
8	Montgomery	8C.062017	1547	\$14,862.35
8	Montgomery	8C.062003	1543	\$ 77,238.65

Deletions:

County	SR No	Length (Miles)	Description	Estimated Cost
Halifax Div. 4	1119 Overhills Rd	0.20	Grade, drain, base, pave Unable to obtain right of way WBS 4C.042026	\$50,000.00
Vance Div. 5	1339 Elliott Road	0.80	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 5C.091011	\$10,000.00
Warren Div. 5	1220 Culpepper Road	0.60	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 5C.093006	\$10,000.00
Montgomery Div. 8	1300 Blaine Road	2.20	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 8C.062028	\$23,008.64
Montgomery Div. 8	1301 Low Water Bridge Road	2.10	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 8C.062030	\$248,692.61
Montgomery Div. 8	1561 Gold Mine Road	1.30	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 8C.062042	\$220,000.00

Montgomery Div. 8	1355 Williamson Road	0.40	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 8C.062045	\$70,000.00
Richmond Div. 8	1315 Chicken Farm Road	1.10	Grade, drain, base, pave, erosion control Unable to obtain right of way WBS 8C.077038	\$140,000.00
Anson Div.10	1434 Intersection With NC 742		Cut back slope around inside of curve for sight distance Unable to obtain right of way WBS 10C.004022	\$18,000.00
Madison Div. 13	1567 Green Acres Drive	0.40	Grade, drain, base, pave Unable to obtain right of way WBS 13C.057085	\$120,000.00

Approval - Funds for Access and Public Service Road Projects

Director of Asset Management Lacy Love reviewed and recommended approval of Access and Public Service Road Projects. Pursuant to his recommendation, a motion was made by Board Member Wilson, seconded by Board Member White, and the vote was unanimous to approve the following projects:

Access and Public Service Road Fund

Public Schools:

County	WBS	Description	Amount
Rockingham Div 7	39713	Grade, drain, and base a school bus parking lot and grade, drain, base, and pave a school bus driveway at the new Huntsville Elementary School located on SR 1124 (Sardis Loop) in Rockingham County. Reimbursement will be made to the Rockingham County School System.	\$50,000.00

Rockingham Div. 7	39714	Grade, drain, and base a school bus parking lot and grade, drain, base, and pave a school bus driveway at the new Williamsburg Elementary School located on NC 87 in Rockingham County. Reimbursement will be made to the Rockingham County School System.	\$50,000.00
Rockingham Div. 7	39715	Grade, drain, and base a school bus parking lot and grade, drain, base, and pave a school bus driveway at the new Monroeton Elementary School located on NC 87 in Rockingham County. Reimbursement will be made to the Rockingham County School System.	\$50,000.00

Approval - Additions, Abandonments, and Road Name Changes to State Secondary Road System

Director of Asset Management Lacy Love reviewed proposed additions and abandonments to the State Secondary Road System. Following his review, a motion was made by Board Member Wilson, seconded by Board Member White, and the vote was unanimous to approve the following changes in the State Secondary Road System:

Road Additions:

County	Pet. No.	Length (Miles)	Description	Date of Report
Division 2				
Carteret	47252	0.27	Middens Creek Subdivision Middens Creek Drive	9/26/03
Craven	47253	0.18 0.24 0.06 0.09 0.45 0.07	Neuse Harbour Subdivision Ext. of SR 1974 (Lafitte Way) Magellan Drive Cavendish Court Taliaferro Lane Drake Landing Balboa Court	6/23/04

Craven	47254	0.55 0.11 0.04	River Bluffs Subdivision River Bluffs Drive Nature Court Serenity Court	7/17/03
Lenoir	47255	0.10 0.12 0.05 0.11 0.16	Whitfield Acres Subdivision Alison Road Caroline Nicole Drive Dexter Circle Doug Drive Sybil Drive	7/13/04
Division 3				
Duplin	47283	0.25	Wiggins Lane	2/27/04
New Hanover	47256	0.56 0.17 0.16 0.07	Greenbriar South Subdivision Coronado Drive Marshwood Drive Contender Lane Ext. of SR 1733 (Burning Tree Road)	10/27/04
New Hanover	47257	0.27 0.38 0.19 0.09 0.14 0.07	Newbury Woods Subdivision Ext. of SR 2739 (Newbury Way) Thurgood Road Rothbury Way Selkirk Court Valor Drive Newry Lane	10/11/04
New Hanover	47258	0.31	Masonboro Village Subdivision Long Pointe Road	9/27/04
Division 4				
Halifax	47259	0.08	Myrick Estates Subdivision Ruth Road	7/26/04
Halifax	47260	0.08	Ferncliff Subdivision Summer Place	7/23/04
Johnston	47261	0.42 0.06 0.13	Creekside Place Subdivision Ext. of SR 2270 (Leach Drive) Crawdad Court Salamander Drive	6/21/04
Nash	47262	0.09	Nick Woods Subdivision Maple Street	10/12/04
Nash	47263	0.45	Spring Hill Subdivision Nicole Road	8/26/04

Wayne	47264	0.21 0.07 0.03	Mil's Manor Subdivision Milwood Drive Brebati Drive Joscara Drive	5/3/04
Wilson	47265	0.11	Litchfield Estates Subdivision Beaver Dam Road South	6/4/04
Division 5				
Wake	47266	0.11	Lakewind Subdivision Lakewind Court	10/04/04
Division 6				
Columbus	47267	0.36	Prince/Brown Subdivision Bright Creek Road	10/28/04
Columbus	47282	0.19	Johnny George Road	10/27/04
Cumberland	47268	0.18	Cumberland Industrial Center Distribution Drive	9/30/04
Harnett	47269	0.37 0.07 0.07 0.06	Overhills Creek Subdivision Robeson Street Ext. of SR 2137 (BJ Palmer Dr.) Anson Lane Robeson Court	9/8/04
Harnett	47270	0.49 0.05 0.06 0.22 0.24 0.07 0.09 0.30 0.10	Peachtree Crossing Subdivision Ribbon Oak Court Sweet Gum Circle Water Oak Circle Bay Tree Lane Ext. of SR 2167 (Peachtree Lane) Honeybee Circle Bluebird Court Valley View Court White Oak Circle	10/12/04
Division 9				
Forsyth	47271	0.28	River Run Subdivision Riverwood Road	10/19/04
Rowan	47272	0.12	Townview Estates Subdivision Oakland Drive	10/22/04

Division 10

Cabarrus	47273	0.40	Lake Shore Estates Subdivision Ext. of SR 2698 (Harbor Drive)	9/1/04
Mecklenburg	47274	0.03 0.03 0.03 0.23 0.74 0.08 0.23 0.10 0.25 0.03 0.08 0.05 0.17 0.03 0.05	Hamilton Green Subdivision White Barn Court Flowing Brook Court Vista Verde Court Hamilton Green Drive Circlegreen Drive Bubbling Branch Lane Falling Meadows Lane Wandering Brook Drive Greencreek Drive Green Lea Court Quiet Stream Court Emerald Branch Lane Grove Creek Lane Trickling Water Court Arbor Tree Lane	11/3/03
Union	47275	0.48 0.18 0.78 0.38 0.06 0.11 0.05 0.04 0.03 0.13	Bent Creek Subdivision Thicketty Parkway Bikar Court Endberbury Drive Makin Drive Banaba Court Cristobal Court Ponapa Court Mortlock Court McKean Road Onotoa Drive	9/23/04
Union	47276	0.07 0.06	Camden Square Subdivision Leslie Drive Wynbrook Way	10/20/04
Division 11				
Caldwell	47277	0.23	Crump Road Connector	11/26/03
Division 14				
Henderson	47278	0.10	Pioneer Mountain Subdivision Pioneer Mountain Road	10/1/04
Road Abandonments:				
Division 3				
Pender	47279	0.60	SR 1538 (Little Kinston Rd.)	10/20/04

Division 14

Graham	47280	0.18	Portion of SR 1207 (Old Franks Creek Rd.)	8/6/04
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Map Correction:

Division 10

Union	47281	0.04	Ext. of SR 2147 (Augustus Rd.)	9/22/04
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Approval - Funds for Specific Divisionwide Small Urban Construction Projects and Statewide Contingency Fund Projects

Following the recommendation of Chief Engineer - Operations Steve Varnedoe, a motion was made by Board Member Wilson, seconded by Board Member White, and the vote was unanimous to allocate funds to the following projects:

Divisionwide Small Construction Fund

County	Description	Amount
Dare Div. 1	Duck and Southern Shores – Drainage study along NC 12 to address multiple drainage problems. Town of Duck and Town of Southern Shores participation - \$30,000 WBS 39731	\$15,000.00
Washington Div. 1	Plymouth – Realign curb and gutter on SR 1325 (East Main St) at the intersection of SR 1342 (Rankin Lane) to improve the safety at this intersection and provide an entrance to the historic battlefield site WBS 39704	\$45,000.00
Lenoir Div. 2	Kinston - Pipe outlet ditch located at SR 1845 (Highland Avenue) and Summit Avenue WBS 39690	\$100,000.00
Pitt Div. 2	Simpson - WBS 31191 has been approved to widen existing asphalt pavement from 20 ft to 40 ft and install curb and gutter on SR 1755 (McDonald Blvd) from SR 1759 to SR 1758. Increase funds.	\$190,000.00

Brunswick Div. 3	Remove and replace three pipes along SR 1439 (Bluff Drive Northeast) and regrade existing ditch to ensure positive drainage WBS 39699	\$6,500.00
New Hanover Div. 3	Wilmington – WBS 38308 has been approved to redesign the intersection at SR 1492 (Pine Grove Drive) and Masonboro Loop Road to allow for free flowing traffic on SR 1492. Increase funds.	\$35,000.00
New Hanover Div. 3	Install flashers at Castle Hayne Fire Department in Castle Hayne (unincorporated) WBS 39737	\$25,000.00
New Hanover Div. 3	Wilmington – Upgrade existing crossline pipe from 30" RCP to 54" CMP on SR 1411 (Wrightsville Avenue), 300' south of SR 1843 (Michelle Drive) City Participation - \$21,000 WBS 39738	\$70,000.00
Onslow Div. 3	Jacksonville – WBS 38306 has been approved to widen SR 1403 (Country Club Rd) to a three lane section with two-way left turns from SR 1470 (Western Blvd) to SR 1308 (Bell Fork Rd). Project also includes adding a 4-foot bike path to both sides of the roadway. City participation - \$600,000 Increase funds.	\$250,000.00
Cumberland Div. 6	Fayetteville – WBS 30674 has been approved to construct a three lane section on SR 1615 (Rosehill Road) from SR 1614 to SR 1783. Increase funds.	\$100,000.00
Orange Div. 7	Install guardrail at Bridge # 90 on SR 1940 (Damascus Church Road) 0.1 mile west of SR 1939 south of Carrboro WBS 39753	\$50,000.00
Graham Div. 14	Robbinsville – WBS 38240 has been approved to construct 2' 6" curb and gutter and resurface SR 1293 at Robbinsville High School entrance. Increase funds.	\$30,000.00
Swain Div. 14	Bryson City – Replace existing signal at SR 1364 (Everett Street) and Mitchell Street with metal pole and mast arm type signal WBS 39733	\$125,000.00

Deletion:

WBS 30954/Wilkesboro/Wilkes Co./Div. 11 – approved in the amount of \$40,000 on 4/9/99 to widen SR 1322 (Winkler Mill Road) to provide additional turn lanes at Winkler Street (NS) from US 421 to Winkler Street is to be deleted. Town cannot obtain right of way.

Statewide Contingency Fund

County	Description	Amount
Duplin Div. 3	Participation in installing a 73" X 55" pipe on NC 24 in Beulaville. All work is outside the NCDOT right of way except for the tie in at NCDOT's catch basin, one block southeast of the intersection of NC 24 and NC 41. Town to fund remaining cost. WBS 39566	\$11,000.00
Duplin Div. 3	Grade, drain and stabilize Wiggins Lane for addition to the State System. Secondary Road Construction Fund - \$10,000 WBS 3C.031045	\$30,000.00
Pender Div. 3	Grade, drain, base and pave SR 1406 (Long Creek Loop Road) from NC 210 to SR 1438, 0.2 mile WBS 39730	\$70,000.00
Wayne Div. 4	Install traffic signal at the intersection of SR 1556 (Wayne Memorial Dr) and SR 1572 (Saulston Rd) WBS 40066	\$100,000.00
Rockingham Div. 7	WBS 36536 has been approved to widen SR 1962 (Pierce Street) to a three lane section to include curb and gutter and sidewalk along the east side from library entrance # 1 to 231 feet south of SR 1747 (Stadium Drive) in Eden. Increase funds. (Note: WBS 31371 in the amount of \$100,000 will be deleted and funds transferred to this project.)	\$100,000.00
Wilkes Div. 11	Construct access road, for a distance of 0.13 mile, off SR 2516 (Industrial Park Road) to proposed Johnson Business Park in Wilkesboro. Town will be responsible for planning, construction, right of way, and moving utilities. WBS 39729	\$50,000.00
Gaston Div. 12	WBS 31524 has been approved to grade, base and pave SR 1470 (Brown-Watterson Road) from SR	\$14,840.50

1426 to dead end, 0.38 mile. Increase funds and close project.

Rutherford Div. 13	WBS 39508 has been approved to construct access road from SR 1901 for approximately 1,700 feet to Rutherford Corporate Center. Increase funds.	\$7,670.00
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Deletion:

WBS 31371/Guilford County/Div. 7 – approved in the amount of \$100,000 on 1/05/99 to resurface Perimeter Road at Central North Carolina School for the Deaf will be deleted. Project will not be constructed.

Approval – 2004 Public Transportation Program

Following the recommendation of Miriam Perry, Director of Public Transportation Division, a motion was made by Board Member Sewell, seconded by Board Member Betts, and the vote was unanimous to allocate funds to the following projects:

Apprentice and Intern Programs

The Apprentice and Intern Programs provide opportunities for undergraduates and graduates to explore careers in public transportation. The Apprentice Program is intended for recent graduates or currently enrolled seniors at North Carolina colleges and universities. Individuals will work full-time for a 12-month period. The Intern Program is aimed at students currently enrolled in graduate level programs. Interns work approximately 12 weeks full-time, 40 hours per week during the summer between their two years of graduate school, and approximately 10 hours per week during the fall and spring semesters of their second year.

With hands-on training and experience, students are better able to assess public transportation careers and compete for jobs. Sponsoring agencies benefit from the programs by having individuals on staff to assist with everyday operational tasks, as well as to pursue special projects. Both programs help develop a pool of qualified individuals for the state's public transportation industry. Former apprentices are currently employed at a number of North Carolina's transit systems.

This is a request to approve the use of state funds to support the following student placements.

Division 7

Project No.	In response to the growing number of public	\$16,050	
05-DG-010	transportation requests from the Hispanic community,	14,445	State
	Alamance County Transportation Authority requests	1,605	Local
	an intern position to establish bilingual communications.		
	The student will convert literature for bilingual use,		

prepare presentations that describe services provided by the transportation system and participate in training activities for system personnel.

Rural Facility Program

Division 1

05-SF-004	Albemarle Regional Health Services (formerly Inter-County Public Transportation Authority) operates in Camden, Currituck, Chowan, Pasquotank and Perquimans Counties) requests funds for minor improvements to the existing transit facility. This project will be funded in accordance with Senate Bill 1005 that was ratified by the North Carolina General Assembly and authorizes the Department of Transportation to use Trust Fund balances for public transportation projects.	\$19,700 Total 17,730 State 1,970 Local
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Division 3

Project No.: 05-CT-095	Greene County requests funds to support surveying, land appraisal, and an environmental study towards the construction of a new public transportation facility.	\$48,000 38,400 Federal 4,800 State 4,800 Local
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Division 11

05-SF-002	Ashe County Transportation Authority, Inc. (ACTA) requests funds for security fencing at their existing transit facility. This project will be funded in accordance with Senate Bill 1005 that was ratified by the North Carolina General Assembly and authorizes the Department of Transportation to use Trust Fund balances for public transportation projects.	\$8,200 Total 7,380 State 820 Local
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Division 12

05-SF-003	Transportation Administration of Cleveland County, Inc. (TACC) requests funds for soil erosion containment and for minor improvements to the transit facility. This project will be funded in accordance with Senate Bill 1005 that was ratified by the North Carolina General Assembly and authorizes the Department of Transportation to use Trust Fund balances for public transportation projects.	\$17,805 16,024 1,781	Total State Local
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Transportation Demand Management Program

Divisions 5 & 7

Project No.: 05-RS-004	Research Triangle Regional Public Transportation Authority (TTA) – will continue to manage and operate the Triangle Area Rideshare Program known as Tri-A-Ride. Triangle Tri-A-Ride offers rideshare matching services, van leasing, transit and park and ride information to employees and the general public in the three county (Durham, Orange and Wake Counties) and the greater Triangle area.	\$581,023 290,511 290,512	Total State Local
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Activities to be undertaken during fiscal year 2005 include providing an emergency ride home program for vanpoolers, registered carpoolers, transit riders, and bikers/walkers, administering the web based rideshare matching program ShareTheRideNC, expanding the commuter choice program and BWC to Orange County employers, continuing to work on new strategies to increase awareness of the vanpool program, providing technical assistance to Employee Transportation Coordinators, and overseeing the employee commuter survey. TTA will also continue promoting the GoTriangle.org website, which provides trip planning information.

The TTA currently leases 49 vans. During FY 03, TTA provided approximately 295,266 passenger trips on 48 vans, which averaged 76 miles each day. The recommended effective date for reimbursement of eligible project costs is July 1, 2004.

Divisions 5 & 7

Project No.: 05-RS-007	Research Triangle Regional Public Transportation Authority (TTA) , on behalf of the Capital Area Metropolitan Organization (CAMPO), will support the CAMPO TDM Program. The CAMPO TDM Program was established as a voluntary program for employers in Wake County in January of 2003, with the aim of integrating TDM into the comprehensive transportation system that was adopted through the CAMPO Long-Range Transportation Plan. The program funds a staff person to work with major employers in Wake County, encouraging them to appoint an Employee Transportation Coordinator, develop Commute Trip Reduction (CTR) plans, promote commuting options within the workplace, and conduct an annual survey of employee commuting habits. CAMPO contracts with TTA to administer the program.	\$131,249 Total 65,624 State 65,625 Local
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During FY 2005, they intend to focus their efforts on providing detailed TDM program information about TDM strategies to the employers in Wake County, as well as fostering innovative strategies that can be tested with the results being broadly shared, and marketing the on-line rideshare matching service ShareTheRideNC. They are also encouraging Wake County Employers to participate in the commuter survey effort mandated for Durham County employers. In addition to forming three Transportation Cooperative Associations in FY 2004, a Downtown Raleigh Transportation Cooperative Association will be formed in FY 2005. The program will collaborate with the Durham Commute Trip Reduction program and with the SmartCommute Program at the RTP. The recommended effective date for reimbursement of eligible project costs is July 1, 2004.

Divisions 5 & 7

Project No.: 05-RS-001	Research Triangle Regional Public Transportation Authority (TTA) , on behalf of Durham County, will support the Durham Commute Trip Reduction (CTR) Program activities. The Durham CTR Program was established through an ordinance adopted by Durham County and City in 2000 with the aim of reducing reliance on Single Occupant Vehicle trips in the County. The program requires major employers to participate by appointing an Employer Transportation Coordinator, developing Commute Trip Reduction plans, promoting commuting options within the workplace and conducting an annual survey of employee commuting habits. Durham has the highest commuting ratio in the State, which makes TDM efforts so vital in their efforts to improve air quality. The County of Durham contracts with the Triangle Transit Authority to administer the program.	\$211,233 Total 105,616 State 105,617 Local
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During FY 2005, the program will focus on providing detailed TDM program information about TDM strategies to the employers in Durham County as well as fostering innovative strategies that can be tested with results being broadly shared. In addition, the program will market the on-line rideshare matching software ShareTheRide NC and monitor compliance by employers with the CTR Ordinance. Technical assistance is provided to the employers to develop and implement their mandated trip reduction plans. The recommended effective date for reimbursement of eligible project costs is July 1, 2004.

Divisions 7 and 9

Project No. 05-RS-003	The Piedmont Authority for Regional Transportation (PART) receives financial support from the Cities of Greensboro, High-Point, and Winston-Salem. PART is designed to increase the use of alternative transportation in the region by providing individuals and employers with information to start a vanpool, promoting carpooling, marketing park and ride locations, and providing parking management techniques to employers, employees, and the general public in the region. They also market the PART Express Bus Service between High-Point, Greensboro, and Winston Salem and will market the web based rideshare matching program ShareTheRideNC.	\$200,530 100,265 100,265	Total State Local
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RSVP currently leases twenty-three (23) vans. During FY 03, RSVP provided approximately 362,880 passenger trips on 48 vans, which averaged 126 miles each day. The recommended effective date of reimbursement of eligible project costs is July 1, 2004.

Division 10

Project No.: 05-RS-009	The City of Charlotte will continue to work on providing and promoting alternate ways of commuting to the citizens who live and work in or near the Charlotte-Mecklenburg region. Activities to be undertaken in FY 2005 include I-77 HOV Education Program, Best Workplaces for Commuters Challenge and Recruitment Program, a mini-vanpool demonstration program, conducting transportation fairs, increasing the usage of bicycle riders on CATS, increasing Employee Transportation Coordinator membership, and increasing the use of vanpools in the Charlotte region. In addition, the TDM program will advertise and utilize the web based rideshare matching program ShareTheRideNC.	\$253,244 126,622 126,622	Total State Local
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The TDM program housed at Charlotte Area Transit System currently leases 58 vans. During FY 2003, they provided approximately 184,464 passenger trips on 61 vans, which averaged 85 miles per day. The recommended effective date for reimbursement of eligible project costs is July 1, 2004.

Urban Bus and Facilities Program

Division 7

Project No. NC-90-X336	The City of Greensboro received approval for a Federal Transit Administration Urbanized Area Formula Program (NC-90-X336) capital assistance grant. This grant provides funding to purchase 8 expansion buses. The City is requesting a 10% state match to the grant. The effective date for reimbursement of eligible project costs is July 1, 2004, to coincide with the period of performance authorized by the Federal Transit Administration.	\$2,600,000 2,080,000 260,000 260,000	Federal State Local
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Project No. NC-90-X338-01	The City of Greensboro received approval for a Federal Transit Administration Urbanized Area Formula Program (NC-90-X338-01) capital assistance grant. This grant provides for the purchase of automatic passenger counters and planning assistance. The City is requesting a 10% state match to the grant. The effective date for reimbursement of eligible project costs is July 1, 2004, to coincide with the period of performance authorized by the Federal Transit Administration.	\$299,400 239,520 29,940 29,940	Federal State Local
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Public Transportation Grant Program

Division 7

Project No. NC-90-X345	The Town of Chapel Hill received approval for an amendment to a Federal Transit Administration Urbanized Area Formula Program (Section 5307) capital and planning grant. The grant provides funding for long term and short range transit planning, planning program administrative support and purchase of eight vans. The town is requesting a 10% State match to the amendments to the grant. The effective date for reimbursement of eligible project costs is July 27, 2004 to coincide with the period of performance authorized by the Federal Transit Administration for the grant amendments.	\$430,030 344,024 43,003 43,003	Federal State Local
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Summary	12 projects	\$	38,400	federal funds
		\$	1,082,000	state funds

Approval – 2004 Rail Program

Following the recommendation of Pat Simmons, Director of Rail Division, a motion was made by Board Member Sewell, seconded by Board Member Betts, and the vote was unanimous to allocate funds to the following projects:

Town/County Division	Project Description	Estimated Cost
1. Kannapolis Cabarrus County Division 10	Additional state rail funds are needed for completion of track and platform construction to serve the new Kannapolis passenger station. WBS 32214 and WBS 32226	\$400,000
2. Lilesville/ Anson County Division 10 Z-4110A	In accordance with our State-Maintained Road/Railroad Crossing Closure Procedures, the SR-1740 (Apple Orchard Road) crossing of the CSXT Railroad, Crossing No. 631 745F, was evaluated for consolidation by the Rail Division, including one public hearing, held February 12, 2004, to receive input regarding the proposed consolidation project. After carefully considering comments from public involvement activities, study recommendations, safety for motorists and train crews and availability of alternative access, the staff recommends approval by the Board of Transportation to approve continuation of the necessary procedures for the closure of the SR-1740 crossing, upon installation of railroad crossing signals at N. Cowan Street (Crossing No. 631 747U). The estimated cost for the signal and crossing is \$200,000. CSX Transportation has agreed to pay \$20,000 toward the project cost.	

3. Marshville/
Union County
Division 10
Y-4116L

In accordance with our State-Maintained Road/Railroad Crossing Closure Procedures, the SR-1732 (High Road) crossing of the CSXT Railroad, Crossing No. 631 769U, was evaluated for consolidation by the Rail Division, including one public hearing, held January 29, 2004, to receive input regarding the proposed consolidation project.

After carefully considering comments from public involvement activities, study recommendations, safety for motorists and train crews and availability of alternative access, the staff recommends approval by the Board of Transportation to approve continuation of the necessary procedures for the closure of the SR-1732 crossing, upon completion of a water line to provide fire hydrants north of the existing railroad tracks. The estimated cost for engineering, construction of the water line is approximately \$100,000. CSX Transportation has agreed to pay \$29,000 toward the improvements.

4. Statewide

Additional state rail funds are needed for Railroad-Highway Enhancement Program (RR-HEP). Projects include new highly reflective crossbucks, stop signs, sight distance, special signage, widening or elimination of high profile or humped surfaces, and crossing signal relocations where signals are being damaged by traffic. Projects may not exceed \$75,000 and cannot be used for new signal projects. WBS 32277

\$372,000

Approval – Funds for NC Moving Ahead Bicycle Project

Following the recommendation of Tom Norman, Director of the Bicycle and Pedestrian Division, a motion was made by Board Member Sewell, seconded by Board Member Betts, and the vote was unanimous to allocate funds to the following project:

Town/County Division	Project Description	Estimated Cost	
Jacksonville/ Onslow Co. Division 3	WBS 38306 \$250,000 has previously been approved for widening SR 1403 (Country Club Road) to a 3-lane section from Western Blvd to Bell Fork Road, a distance of approximately 1.5-miles. It is requested that the Board approve an additional amount of \$215,000 of NC Moving Ahead funds for construction of designated bicycle lanes as part of this widening project. The city of Jacksonville will provide \$600,000 in local matching funds.	\$250,000 \$215,000 \$600,000	Cost NCMA Local

Approval - Specific State Funds for Construction Projects

Following the recommendation of Calvin Leggett, Manager of the Program Development Branch, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to allocate funds to the following projects:

Town/ County Division	Project Description	Estimated Cost
Carteret Co. Div. 2 B-3428	Project WBS 35558 has previously been approved for preliminary engineering, right of way, utilities, and construction to replace Bridge #27 over Black Creek on SR 1154 (Mill Creek Road). \$480,000.00 has been approved. Additional construction funds are needed to cover the overdraft.	\$175,000.00
Greenville/ Pitt Co. Div. 2 U-3852	Project WBS 34995.1.1 has previously been approved for preliminary engineering on the Computerized Signal System. \$900,000.00 has been approved. Additional funds are needed to cover the overdraft.	\$150,000.00

Research Triangle Park/ Wake-Durham Cos. Div. 5 U-4026 B	Project WBS 35018.2.2 has previously been approved for right of way and utilities on SR 1613-1999 (Davis Drive) from north of SR 1635 (Koppers Road/McRimmons Pkwy) to north of NC 54, 4.400 miles. \$200,000.00 has been approved. Additional funds are needed to cover the overdraft.	\$450,000.00
Harnett Co. Div. 6 B-3469	Project WBS 35562 has previously been approved for preliminary engineering to replace Bridge #17 over Black Creek on SR 1703 (Red Hill Church Road). \$660,000.00 has been approved. Additional construction funds are needed to cover the overdraft.	\$275,000.00
Concord/ Cabarrus Co. Div. 10 U-3415	Project WBS 35652.1.1 has previously been approved for preliminary engineering on SR 1394 (Poplar Tent Road) from SR 1445 (Derita Road) to US 29/601 Bypass, 6.10 miles. \$1,780,000.00 has been approved as State Funds. Preliminary engineering funding has changed from State to Federal STP funds. State funds (1304999) need to be reduced \$1,780,000.00. The WBS element will not be closed.	
Union Co. Div. 10 R-4050	Project WBS 34602.3.1 has previously been approved for construction on SR 1349 (Airport Road) from SR 1162 (Goldmine Road) to SR 1009 (Old Charlotte Road), 1.623 miles. \$820,000.00 has been approved. Additional funds are needed to cover the overdraft.	\$250,000.00
Statewide M-377	Project WBS 38168.3.1. Environmental Streamlining. Funds are needed for construction.	\$1,000,000.00
Item J Summary	7 projects	\$520,000.00

Approval - Specific North Carolina Trust Funds and Bond Funds -

Intrastate System and Urban Loops

Following the recommendation of Calvin Leggett, Manager of the Program Development Branch, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to allocate funds to the following projects:

Trust Funds - Intrastate System

Town/ County Division	Project Description	Estimated Cost
Bladen Co. Div. 6 R-2562 C	Project WBS 34467.3.10. NC 87 from NC 131 to SR 1191 (Old NC 41), 6.108 miles. Funds are needed for construction as shown in the 2004-2010 TIP. This is a Cash Flow Project with \$3,800,000.00 in Fiscal Years 2005, 2006, and 2007.	\$11,400,000.00
Bladen Co. Div. 6 R-2562 D	Project WBS 34467.3.8. NC 87 from SR 1191 (Old NC 41) to NC 41-87 Business, 4.211 miles. Funds are needed for construction as shown in the 2004-2010 TIP. This is a Cash Flow Project with \$5,350,000.00 in Fiscal Years 2005 and 2006.	\$10,700,000.00
Robeson Co. Div. 6 R-513	Project WBS 34336.1.2 has previously been approved for preliminary engineering on US 74 from the Maxton Bypass to NC 41 (future I-74), 20.833 miles. \$9,000,000.00 has been approved. Additional funds are needed to cover the overdraft.	\$125,000.00
Lee Co. Div. 8 R-2417 AA	Project WBS 34431.2.2 has previously been approved for acquisition of a specific parcel on US 421/NC 87 (Sanford Bypass) from west of SR 1400 (Cumnock Road) to west of US 1-15-501, 3.48 miles. \$175,000.00 has been approved. Additional funds are needed for Specific Parcel #909 for appraisal and acquisition costs.	\$25,000.00
Randolph Co. Div. 8 R-2217 A	Project WBS 34391.2.3 has previously been approved for right of way and utilities on US 64 from NC 22 in Ramseur to SR 2469-2628 (Brown's Crossroads/Parks Crossroads Church Road), 5.047 miles. \$4,800,000.00 has been approved. Additional funds are needed to cover the overdraft.	\$600,000.00
Stanly Co.	Project WBS 34355.1.1 has previously been approved for	\$150,000.00

Div. 10 R-967 C	preliminary engineering on NC 24-27 from west of SR 1142 (Browns Hill Road) at the West City Limits of Locust to SR 1963 (Oakboro Road/Saint Martin Road) in Albemarle, 15.115 miles. \$4,000,000.00 has been approved. Additional funds are needed to cover the overdraft.
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Trust Funds- Intrastate Summary	6 projects	\$23,000,000.00
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Trust Funds - Urban Loops

Raleigh/ Wake Co. Div. 5 R-2828	Project WBS 35516 has previously been approved for preliminary engineering and acquisition of specific parcels on the Southern Wake Expressway from US 401 to I-40, 8.70 miles. \$5,855,000.00 has been approved. Additional funds are needed for Specific Parcel #915 for appraisal and acquisition costs.	\$25,000.00
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Fayetteville/ Cumberland Co. Div. 6 U-2519 A	Project WBS 34817.2.5 has previously been approved for appraisal & acquisition costs for specific parcels on Outer Loop from I-95 in Robeson County to south of SR 1003 (Camden Road), 5.904 miles. \$25,000.00 has been approved. Additional funds are needed for Specific Parcel #915 for appraisal and acquisition costs.	\$25,000.00
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Fayetteville/ Cumberland Co. Div. 6 U-2519 B	Project WBS 34817.2.6 has previously been approved for appraisal & acquisition costs for specific parcels on Outer Loop from south of SR 1003 (Camden Road) to south of US 401, 4.972 miles. \$25,000.00 has been approved. Additional funds are needed for Specific Parcel #914 for appraisal and acquisition costs.	\$25,000.00
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Fayetteville/	Project WBS 35196.2.4 has previously been approved for	\$50,000.00
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Cumberland Co. Div. 6 X-2 C	Specific Parcels on the NC 24 Extension (Outer Loop) from 1.3 miles east of NC 87-210 to west of US 401, 2.60 miles. \$248,580.00 has been approved. Additional funds are needed for appraisal and acquisition costs for Specific Parcels #910 & #911.
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Trust Funds- Urban Loops Summary	4 projects	\$125,000.00
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Total Summary of Trust Funds	10 projects	\$23,125,000.00
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There were no Bond Fund-Intrastate or
Bond Fund-Urban Loop Projects.

Total K Summary	10 projects	\$23,125,000.00
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Approval - Funds for Specific Spot Safety Improvement Projects

Following the recommendation of Calvin Leggett, Manager of the Program Development Branch, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to allocate funds to the following projects:

Town/ County Division	Project Description	Estimated Cost
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Southern Shores/ Dare Co. Div. 1 US-3735	Project WBS 31606 has previously been approved for a signal system revision at US 158 at the entrance to Market Place Shopping Center and signal system along US 158 from Juniper Trail to Martins Point Road. \$40,000.00 has been approved. The project is complete. Funds need to be reduced and the project closed. The balance as of 11/12/04 is \$32,495.14. File 01-98-216
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Martin Co.	Project WBS 36524 has previously been approved to construct a
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Div. 1 PS-3443	left turn lane at US 17 at SR 1205 (Holly Creek Clydes Road). \$20,000.00 has been approved. This project was deleted from the Spot Safety Program and was completed using resurfacing funds. Funds need to be reduced and the project closed. The balance as of 11/12/04 is \$20,000.00. File 01-00-224	
Oak City/ Martin Co. Div. 1 US-4010	Project WBS 39734. NC 903 at NC 11. Construction funds are needed for installation of an actuated reverse "Vehicle Entering" flasher. File 01-04-005	\$35,000.00
Catawba Co. Div. 12 PS-3440	Project WBS 32063 has previously been approved to construct a 100-foot northbound left turn lane and to upgrade a signal to all LED indications at NC 127 at SR 1128 (Mountain Grove Road). \$70,000.00 has been approved. The project is complete. Additional funds are needed to cover the overdraft and close the project. File 12-02-214	\$34,396.30
Morganton/ Burke Co. Div. 13 US-3973	Project WBS 37196 has previously been approved for right-of-way, utilities and construction at NC 181 at College Street. \$110,000.00 has been approved. The project is complete. Funds need to be reduced and the project closed. The balance as of 11/12/04 is \$50,010.95. File 13-03-204	
Henderson Co. Div. 14 RS-2507	Project WBS 32134 has previously been approved for turn lane construction, intersection alignment, and sight distance improvements at SR 1622 (North Clear Creek Road) at SR 1006 (Howard Gap Road). \$100,000.00 has been approved. The project was deleted due to the inability to acquire right-of-way. Funds need to be reduced and the project closed. The balance as of 11/12/04 is \$96,972.00. File 14-01-204	
Item L Summary	6 projects	(\$130,081.79)

Approval - Funds for Specific Federal-aid Projects

Following the recommendation of Calvin Leggett, Manager of the Program Development Branch, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous to allocate funds to the following projects:

Division 2

Enhancement

Town/ County	Project Description	Estimated Cost
Kinston/ Lenoir Co. E-4739	WBS 36444.3.1, STP-224(9) Improvements to stabilize and preserve the CSS Neuse State Historic Site on the Neuse River. Funds are needed for construction by (North Carolina Department of Cultural Resources) contract.	\$34,186.00 Cost \$27,349.00 Fed. \$6,837.00 Other

Bridge

Carteret Co. B-3626	WBS 33174.3.2, BRSTP-1154(3) Replace Bridge #26 over Deep Creek on SR 1154, 0.152 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$775,000.00 Cost \$620,000.00 Fed. \$155,000.00 State
Pitt Co. B-3685	WBS 33226.3.1, BRSTP-1703(2) Replace Bridge #30 over Greenmill Run on SR 1703, 0.196 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$500,000.00 Cost \$400,000.00 Fed. \$100,000.00 State

*** INDICATES INTRASTATE AND LOOP PROJECT**

Division 3

Enhancement

Navassa/ Brunswick Co. E-4517	WBS 34042.2.1, STP-0396(1) Off-road multi-use trail from Water Street to Main Street. Funds are needed for construction by city contract.	\$93,500.00 Cost \$74,800.00 Fed. \$18,700.00 City
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Bridge

Sampson Co. B-4270	WBS 33611.3.1, BRZ-1240(2) Replace Bridge #93 over Little Cohaire Creek on SR 1240, 0.182 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$825,000.00 Cost \$660,000.00 Fed. \$165,000.00 State
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Division 4

Surface Transportation

Rocky Mount/ Edgecombe Co. U-3328	WBS 34925.3.2, STP-64A(2) US 64 Business (Raleigh Street) from Pinehurst Drive to US 64 Bypass, 0.713 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$1,050,000.00 Cost \$840,000.00 Fed. \$210,000.00 State
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Bridge

Wayne Co. B-3711	WBS 33251.2.2, BRSTP-111(9) Replace Bridge #42 over the Neuse River Overflow on NC 111, 0.265 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$1,250,000.00 Cost \$1,000,000.00 Fed. \$250,000.00 State
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Division 5

Enhancement

Raleigh/ Wake Co. E-4759	WBS 36366.2.1, STP-0520(17) Bike/Pedestrian Amenities and Landscaping on the Reedy Creek Greenway/Museum Park Trail. Funds are needed for construction by other (North Carolina Department of Cultural Resources) contract.	\$50,625.00 Cost \$40,500.00 Fed. \$10,125.00 Other
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Bridge

Wake Co. B-3376	WBS 33024.3.2, BRSTP-2564(4) Replace Bridge #246 over Big Branch Creek on SR 2564, 0.264 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$1,050,000.00 Cost \$840,000.00 Fed. \$210,000.00 State
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Wake Co. B-3704	WBS 33244.3.1, BRZ-1834(4) Replace Bridge #108 over Lower Bartons Creek on SR 1834, 0.293 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$1,350,000.00 Cost \$1,080,000.00 Fed. \$270,000.00 State
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Division 7

National Highway

Guilford Co. R-609 WM	WBS 34345.4.1, NHS-311(10) \$676,000.00 has previously been approved for acquisition of specific parcels for wetland/private stream mitigation on US 311 (High Point East Beltway). Additional funds are needed for Specific Parcel #702 WM (Property of Earnest H. and Linda S. Smith) for a conservation easement.	\$90,000.00	Cost
		\$72,000.00	Fed.
		\$18,000.00	State
Chapel Hill/ Orange Co. U-4008	WBS 35009.3.2, NHS-15(16) US 15-501 at Erwin Road, 0.392 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$2,600,000.00	Cost
		\$2,080,000.00	Fed.
		\$520,000.00	State

Surface Transportation

High Point/ Guilford Co. U-2717	WBS 34850.3.2, STP-1113(4) \$13,400,000.00 has previously been approved for construction on SR 1113 (Kivett Drive) from Pendleton Street to US 29-70/I-85 Business, 2.116 miles. This is a cash flow project with \$6,541,984.00 in FY05, \$6,541,984.00 in FY06 and \$6,541,985.00 in FY07. Additional funds are needed to reflect the low bid received October 19, 2004.	\$6,225,953.00	Cost
		\$4,980,762.00	Fed.
		\$1,245,191.00	State
Greensboro/ Guilford Co. U-2913 B	WBS 34886.3.6, STP-1546(15) SR 1546 (Guilford College Road) from south of SR 1549 (Mackay Road) to south of SR 1541 (Wendover Avenue), 1.86 miles. Funds are needed for construction as shown in the 04-10 TIP.	\$5,800,000.00	Cost
		\$4,640,000.00	Fed.
		\$1,160,000.00	State

Bridge

Caswell Co. B-4058	WBS 33422.3.1, BRZ-1767(3) Replace Bridge #85 over North Hyco Creek on SR 1767, 0.161 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$475,000.00	Cost
		\$380,000.00	Fed.
		\$95,000.00	State
Guilford Co. B-3843	WBS 33291.1.1, BRSTP-1129(7) \$4,000.00 has previously been approved for preliminary engineering to replace Bridge #31 over the Deep River on SR 1129. Additional funds are needed by other (Piedmont Triad Regional Water Authority) contract.	\$161,860.00	Cost
		\$129,488.00	Fed.
		\$32,372.00	Other
Guilford Co. B-3843	WBS 33291.2.1, BRSTP-1129(7) Replace Bridge #31 over the Deep River on SR 1129.	\$1,700,000.00	Cost
		\$1,360,000.00	Fed.

	Funds are needed for construction by other (Piedmont Triad Regional Water Authority) contract.	\$340,000.00 Other
Guilford Co. B-3844	WBS 33292.1.1, BRZ-1132(5) \$4,000.00 has previously been approved for preliminary engineering to replace Bridge #29 over Hickory Creek on SR 1132. Additional funds are needed by other (Piedmont Triad Regional Water Authority) contract.	\$93,500.00 Cost \$74,800.00 Fed. \$18,700.00 Other
Guilford Co. B-3844	WBS 33292.2.1, BRZ-1132(5) Replace Bridge #29 over Hickory Creek on SR 1132. Funds are needed for construction by other (Piedmont Triad Regional Water Authority) contract.	\$1,950,000.00 Cost \$1,560,000.00 Fed. \$390,000.00 Other
High Point/ Guilford Co. B-3931	WBS 33364.3.2, BRZ-708(7) \$1,673,962.00 has previously been approved for construction to replace Bridge #386 on Lindsay Street over the Norfolk Southern Railroad Tracks. Additional funds are needed.	\$884,475.00 Cost \$707,580.00 Fed. \$176,895.00 City
Orange Co. B-3885	WBS 33325.3.1, BRZ-1958(3) \$550,000.00 has previously been approved for construction to replace Bridge #174 over Cane Creek on SR 1958, 0.175 mile. Additional funds are needed to reflect the low bid received October 19, 2004.	\$456,219.00 Cost \$364,975.00 Fed. \$91,244.00 State
Rockingham Co. B-3696	WBS 33236.3.1, BRZ-2579(2) \$300,000.00 has previously been approved for construction to replace Bridge #84 over Jones Creek on SR 2579, 0.222 mile. Additional funds are needed to reflect the low bid received October 19, 2004.	\$756,703.00 Cost \$605,362.00 Fed. \$151,341.00 State

Safety

Guilford Co. W-4706	WBS 37701.2.1, STP-62(7) Intersection of NC 62 at SR 3402 (Hunt Road). Funds are needed for right of way and utilities.	\$70,000.00 Cost \$63,000.00 Fed. \$7,000.00 State
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Division 8

Surface Transportation

Rockingham/ Richmond Co. U-3456	WBS 34950.2.2, STP-0001(7) US 1 (Fayetteville Road) from SR 1424 (Roberdel Road) to SR 1640 (Wiregrass Road)/SR 1442 (Ledbetter Road), 2.7 miles. Funds are needed for right of way and utilities.	\$6,300,000.00 Cost \$5,040,000.00 Fed. \$1,260,000.00 State
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Division 9

Interstate Maintenance

Davie Co. I-3600	WBS 34183.3.1, IMS-40-3(105)175 I-40 from SR 1436 (Pinebrook Drive) (Mile Post 175) to south of NC 801 (Mile Post 180), 5.0 miles. Funds are needed for construction as shown in the 04-10 TIP.	\$8,800,000.00	Cost
		\$7,920,000.00	Fed.
		\$880,000.00	State

National Highway

Davidson- Rowan Cos. I-2304 AA/AB	WBS 34156.3.4, NHF-85-3(183)80 I-85 from just north of SR 2120 (Long Ferry Road) in Rowan County to just north of I-85 Business in Davidson County, 6.8 miles. Funds are needed for construction as shown in the 04-10 TIP. This is a Design-Build Project. This is a cash flow project with \$34,325,000.00 in FY05, \$34,325,000.00 in FY06, \$34,325,000.00 in FY07 and \$34,325,000.00 in FY08.	\$137,300,000.00	Cost
		\$116,018,400.00	Fed.
		\$21,281,600.00	State

Surface Transportation

Rowan Co. R-2911 B	WBS 34517.2.7, STP-70(81) US 70 from the Iredell County Line to SR 1001 (Old Amity Hill Road), 3.567 miles. Funds are needed for right of way and utilities.	\$4,600,000.00	Cost
		\$3,680,000.00	Fed.
		\$920,000.00	State
Rowan Co. R-2911 C	WBS 34517.3.8, STP-70(79) US 70 from west of SR 1001 (Main Street) to SR 1739 (Hilderbrand Road), 4.118 miles. Funds are needed for construction as shown in the 04-10 TIP. This is a cash flow project with \$4,066,667.00 in FY05, \$4,066,667.00 in FY06 and \$4,066,666.00 in FY07.	\$12,200,000.00	Cost
		\$9,760,000.00	Fed.
		\$2,440,000.00	State
Rowan Co. R-2911 D	WBS 34517.3.7, STP-70(77) US 70 from SR 1739 (Hilderbrand Road) to 0.626 kilometer west of SR 1953 (Kepley Road), 4.463 kilometers. Funds are needed for construction as shown in the 04-10 TIP. This is a cash flow project with \$5,233,334.00 in FY05, \$5,233,333.00 in FY06 and \$5,233,333.00 in FY07.	\$15,700,000.00	Cost
		\$12,560,000.00	Fed.
		\$3,140,000.00	State

Bridge

Forsyth Co. B-3454	WBS 33074.3.1, BRSTP-1525(7) Replace Bridge #260 over Muddy Creek on SR 1525, 0.17 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$1,450,000.00	Cost
		\$1,160,000.00	Fed.
		\$290,000.00	State
Stokes Co. B-3045 WM	WBS 32835.4.2, BRSTP-89(6) \$125,000.00 has previously been approved for	\$25,000.00	Cost
		\$20,000.00	Fed.

acquisition of specific parcels for wetland mitigation at Bridge #17 over the Dan River on NC 89. Additional funds are needed for appraisal and acquisition costs for Specific Parcel #707 WM.	\$5,000.00	State
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Division 10

Interstate Maintenance

Mecklenburg Co. I-4754	WBS 39546.1.1, NHIMS-85-2(58)39 I-85 from west of SR 2691 (Statesville Avenue) to US 29-49 Connector (I-3803). Funds are needed for preliminary engineering.	\$10,000.00 \$9,000.00 \$1,000.00	Cost Fed. State
Mecklenburg Co. I-4754 A	WBS 39546.3.1, NHIMS-85-2(59)39 I-85 from west of SR 2691 (Statesville Avenue) to US 29-49 Connector (I-3803). Funds are needed for construction as shown in the 04-10 TIP by purchase order contract.	\$1,350,000.00 \$1,215,000.00 \$135,000.00	Cost Fed. State
Mecklenburg Co. I-4754 B	WBS 39546.3.2, NHIMS-85-2(60)39 I-85 from west of SR 2691 (Statesville Avenue) to US 29-49 Connector (I-3803). Funds are needed for construction as shown in the 04-10 TIP.	\$3,900,000.00 \$3,510,000.00 \$390,000.00	Cost Fed. State
Mecklenburg Co. I-4755	WBS 39547.1.1, IMS-277-1(15)3 I-277 from Mile Marker 2.7 to Mile Marker 4.2 (Independence Boulevard to I-77). Funds are needed for preliminary engineering.	\$15,000.00 \$13,500.00 \$1,500.00	Cost Fed. State
Mecklenburg Co. I-4755	WBS 39547.3.1, IMS-277-1(15)3 I-277 from Mile Marker 2.7 to Mile Marker 4.2 (Independence Boulevard) to I-77. Funds are needed for construction as shown in the 04-10 TIP.	\$1,850,000.00 \$1,665,000.00 \$185,000.00	Cost Fed. State
Mecklenburg Co. I-4756	WBS 39548.1.1, IMS-77-1(165)25 I-77 from NC 73 (Sam Furr Road, Exit 25) to the Iredell County Line. Funds are needed for preliminary engineering.	\$10,000.00 \$9,000.00 \$1,000.00	Cost Fed. State
Mecklenburg Co. I-4756	WBS 39548.3.1, IMS-77-1(165)25 I-77 from NC 73 (Sam Furr Road, Exit 25) to the Iredell County Line. Funds are needed for construction as shown in the 04-10 TIP.	\$2,600,000.00 \$2,340,000.00 \$260,000.00	Cost Fed. State

Division 11

National Highway

Caldwell Co. R-2237 B*	WBS 34402.3.6, NHS-321(12) US 321 from SR 1370 (Kirby Road) to SR 1500 (Blackberry Road), 6.57 miles. Funds are needed for construction as shown in the 04-10 TIP. This is a cash flow project with \$12,300,000.00 in FY05, \$12,300,000.00 in FY06 and \$12, 300,000.00 in FY07.	\$36,900,000.00 Cost \$29,520,000.00 Fed. \$7,380,000.00 State
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Surface Transportation

Yadkin Co. R-3427	WBS 34543.3.3, STP-601(14) US 601 from the Davie County Line to the Yadkinville South City Limits, 4.974 miles. Funds are needed for construction as shown in the 04-10 TIP. This is a cash flow project with \$4,650,000.00 in FY05 and \$4,650,000.00 in FY06.	\$9,300,000.00 Cost \$7,440,000.00 Fed. \$1,860,000.00 State
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Bridge

Alleghany Co. B-3403	WBS 33034.3.1, BRZ-1422(8) Replace Bridge #53 over Brush Creek on SR 1422, 0.221 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$800,000.00 Cost \$640,000.00 Fed. \$160,000.00 State
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Division 12

Surface Transportation

Gaston- Lincoln Cos. R-2206 AA	WBS 34383.3.5, STP-16(27) NC 16 from south of Lucia in Gaston County to NC 73 in Lincoln County, 5.768 miles. Funds are needed for construction as shown in the 04-10 TIP. This is a cash flow project with \$9,050,000.00 in FY05 and \$9,050,000.00 in FY06.	\$18,100,000.00 Cost \$14,480,000.00 Fed. \$3,620,000.00 State
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Bridge

Gaston Co. B-3840	WBS 33288.3.1, BRZ-1112(8) \$400,000.00 has previously been approved for construction to replace Bridge #52 over South Crowders Creek on SR 1112, 0.227 mile. Additional funds are needed to reflect the low bid received October 19, 2004.	\$294,871.00 Cost \$235,897.00 Fed. \$58,974.00 State
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Gastonia/ Gaston Co. B-4860	WBS 38150.1.1, BRZ-1213(10) Replace municipal Bridge #421 over Kaylor Branch on West Davidson Avenue. Funds are needed for preliminary engineering.	\$65,000.00 Cost \$52,000.00 Fed. \$13,000.00 City
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Division 13

Bridge

Burke Co. B-3419	WBS 33046.3.2, BRZ-1223(5) \$1,150,000.00 has previously been approved for construction to replace Bridge #46 over the Catawba River on SR 1223, 0.225 mile. Additional funds are needed to reflect the low bid received October 19, 2004.	\$658,883.00 Cost \$527,106.00 Fed. \$131,777.00 State
Madison Co. B-2583	WBS 32673.3.2, BRZ-1001(36) Replace Bridge #328 over the French Broad River on SR 1001, 0.216 mile. Funds are needed for construction as shown in the 04-10 TIP.	\$5,000,000.00 Cost \$4,000,000.00 Fed. \$1,000,000.00 State

Division 14

Enhancement

Waynesville/ Haywood Co. E-4589	WBS 34111.2.2, STP-1422(7) Greenway from the Industrial Park near Lake Junaluska to the Downtown Main Street District. Funds are needed for construction by city contract.	\$225,000.00 Cost \$180,000.00 Fed. \$45,000.00 City
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Bridge

Haywood Co. B-3470	WBS 33088.3.2, BRSTP-276(6) \$650,000.00 has previously been approved for construction to replace Bridge #163 over the Pigeon River Overflow on US 276, 0.133 mile. Additional funds are needed to reflect the low bid received October 19, 2004.	\$56,388.00 Cost \$45,110.00 Fed. \$11,278.00 State
Macon Co. B-3485	WBS 33102.3.1, BRZ-1309(6) \$600,000.00 has previously been approved for construction to replace Bridge #16 over Cartoogechaye Creek on SR 1470 (formerly SR 1309), 0.108 mile. Additional funds are needed for construction as shown in the 04-10 TIP.	\$600,000.00 Cost \$480,000.00 Fed. \$120,000.00 State

ITEM M SUMMARY

49 PROJECTS

\$314,926,487.00

Approval – Revisions to 2004-2010 TIP

Following the recommendation of Calvin Leggett, manager of the Program Development Branch, a motion was made by Board Member Erby, seconded by Board Member Burrell, and the vote was unanimous in approving the following modification to the 2004 – 2010

Transportation Improvement Program:

TIP MODIFICATIONS

DIVISION 1

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| 1. K-4700 | US 158, Currituck County. Replace existing Rest Area on new location to accommodate sewer system, future buildings and parking area. Added right of way, FFY 05 and delayed construction, FFY 05 to FFY 07. Difficulty in acquiring right of way. Additional time needed to complete acquisition. | Right of way FFY 05 - \$2,000,000 (NHS)
Construction FFY 07 - <u>\$4,000,000</u> (NHS)
Total Cost ----- \$6,000,000 (NHS) |
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DIVISION 2

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| 1. B-4175 | SR 1800, Lenoir County. Replace Bridge No. 12 over Eagle Creek. Delayed right of way and construction, FFY 04 to FFY 05. Bridge Maintenance needs additional time to locate property owners and complete design. | Right of way FFY 05 - \$ 50,000 (NFA)
Construction FFY 05 - <u>\$500,000</u> (NFA)
Total Cost ----- \$550,000 (NFA) |
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DIVISION 3

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|-----------|--|------------------------------------|
| 1. R-4735 | US 74-76, East of SR 1426 (Mount Misery Road)/SR 1438 (LaMale Road/Lanvale Road) interchange, Brunswick County. Place a 72" drainage pipe under roadway. Delayed right of way, SFY 04 to SFY 05. Division needs time to resolve right of way issues. | Right of way SFY 05 - \$15,000 (S) |
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DIVISION 5

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|-----------|--|--|
| 1. I-4708 | Raleigh, I-440, Six Forks Road (Mile Post 8) to New Bern Avenue (Mile Post 13), Wake County. Mill and overlay. Construction delayed, FFY 04 to FFY 05. Division needs additional time to complete plans. | Construction FFY 05 - \$1,500,000 (IMPM) |
| 2. I-4735 | Raleigh, I-40/440, US 1 (Mile Post 293) to I-40/440 (Mile Post 301), Wake County. Pavement repair. Delayed construction, FFY 04 to FFY 05. Division needs additional time to complete plans. | Construction FFY 05 - \$1,000,000 (IMPM) |

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| 3. E-4759 | Raleigh, Bike-Pedestrian amenities and Landscaping of Reedy Creek Greenway-Museum Park Trail, Wake County. Delayed construction, FFY 04 to FFY 05. Consultant hired by Museum of Art needs additional time to complete planning. | Construction FFY 05 - \$45,000 (STPE)
Construction FFY 05 - \$ <u>9,000</u> (O)
Total Cost ----- \$54,000 (STPE/O) |
| 4. P-3802 | Durham, Rail Station Construction, Durham County. Delayed construction, FFY 04 to FFY 05. City needs additional time to complete planning. | Construction FFY 05 - \$3,000,000 (T2001) |
| 5. P-3803 | Raleigh, Rail Station Construction, Wake County. Delayed construction, FFY 04 to FFY 05. City needs additional time to complete planning. | Construction FFY 05 - \$2,000,000 (T2001) |

DIVISION 6

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| 1. E-4763 | Bladenboro, Construct a five-foot sidewalk on west side of SR 1100, Bladen County. Delayed construction, FFY 04 to FFY 05. Town needs additional time to acquire right of way. | Construction FFY 05 - \$ <u>90,000</u> (STPE)
Construction FFY 05 - \$ <u>18,000</u> (O)
Total Cost ----- \$108,000 (STPE/O) |
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DIVISION 7

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| 1. E-4773 | Burlington, NC 87-100 (Webb Avenue), Alamance County. Design and construct an at-grade pedestrian crossover/streetscape project. Delayed construction, FFY 04 to FFY 05. Town needs additional time to get plans approved by NCDOT. | Construction FFY 05 - \$36,000 (STPE)
Construction FFY 05 - \$ <u>7,000</u> (O)
Total Cost ----- \$43,000 (STPE/O) |
| 2. E-4774 | Yanceyville, Caswell County. Landscape four "Gateways" on routes US 158 west, NC 62 south NC 86 north and the triangle junction of NC 62 north US 158 east and NC 86 south. Delayed construction, FFY 04 to FFY 05. Town needs additional time to acquire right of way. | Construction FFY 05 - \$10,000 (STPE)
Construction FFY 05 - \$ <u>2,000</u> (O)
Total Cost ----- \$12,000 (STPE/O) |
| 3. E-4775 | Jamestown/High Point, Guilford County. Construct a connector between existing sidewalk systems in Jamestown and the Bicentennial Greenway. Construction delayed, FFY 04 to FFY 05. Project was relocated and needs a new agreement now In progress. | Construction FFY 05 - \$138,000 (STPE)
Construction FFY 05 - \$ <u>28,000</u> (O)
Total Cost ----- \$166,000 (STPE/O) |

4. E-4776	Greensboro, Guilford County. Construct sidewalks along ten locations: Guilford College Road, Bessemer Avenue, Cotswold Terrace, two locations on McKnight Mill Road, Cone Boulevard, two locations on West Market Street and on Elm and Eugene Streets. Delayed construction, FFY 04 to FFY 05. Town needs time to acquire right of way.	Construction FFY 05 - \$64,000 (STPE) Construction FFY 05 - <u>\$13,000</u> (O) Total Cost ----- \$77,000 (STPE/O)
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DIVISION 8 AND 10

1. B-4974	NC 24-27-73, Montgomery and Stanly Counties. Replace Bridge No. 51 over Pee Dee River. Schedule environmental study; project needs to be coordinated with R-2527.	Scheduled for Planning and Environmental Study Only
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DIVISION 12

1. E-4805	Claremont, Catawba County. Main Street and South Depot Streets, Central Business District streetscaping. Delayed construction, FFY 04 to FFY 05. Town needs additional time to complete plans.	Construction FFY 05 - \$71,000 (STPE) Construction FFY 05 - <u>\$14,000</u> (O) Total Cost ----- \$85,000 (STPE/O)
2. E-4813	Lincolnton, Lincoln County. Phase A: Rail to Trail project between Congress Street and Motz Avenue. Delayed construction, FFY 04 to FFY 05. Town in process of acquiring right of way.	Construction FFY 05 - \$120,000 (STPE) Construction FFY 05 - <u>\$ 24,000</u> (O) Total Cost ----- \$144,000 (STPE/O)

DIVISION 13

1. E-4816	Asheville, Buncombe County. Pack Square Renaissance Streetscape to College Street, Patton Avenue and US 25 (Biltmore Avenue) to provide better balance between pedestrians and vehicles. Delayed construction, FFY 04 to FFY 05. City needs additional time to complete design.	Construction FFY 05 - \$140,000 (STPE) Construction FFY 05 - <u>\$ 28,000</u> (O) Total Cost ----- \$168,000 (STPE/O)
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DIVISION 14

1. E-4822	Hendersonville, Henderson County. Phase A: renovation of the 1902 Train Depot. Delayed construction, FFY 04 to FFY 05. Project is currently being reviewed by State Historic Preservation Office.	Construction FFY 05 - \$75,000 (STPE) Construction FFY 05 - <u>\$15,000</u> (O) Total Cost ----- \$90,000 (STPE/O)
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TIP DELETIONS

DIVISION 11

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| 1. B-4017 | SR 1157, Avery County. Replace Bridge No. 3 over North Toe River. | Deleted, Structure replaced by Federal Emergency Management Administration (FEMA) due to damage by Hurricane Ivan |
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DIVISION 13

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| 1. P-4011 | Black Mountain, Buncombe County. Station rehabilitation. | Deleted, Town declined to participate in project. |
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Approval - Municipal and Special Agreements

Manager of the Funds Administration Section Laurie Smith outlined provisions for municipal and special agreements. Pursuant to her recommendation, a motion was made by Board Member Myers, seconded by Board Member Collier, and the vote was unanimous to approve the following agreements:

SUMMARY: There are a total of 18 agreements for approval by the Board of Transportation. The agreements are as follows: 10 TIP, 6 Utility, 1 Special, and 1 Enhancement.

Statewide

UNC Highway Safety Research Center Chapel Hill	The HSRC shall provide technical support to the Department's Executive Committee for Highway Safety and the Traffic Records Coordinating Committee. The Department shall participate in an amount not to exceed \$60,072. Payments shall be made monthly to the Research Center based on itemized invoices for actual costs incurred.
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Division 1

CSX Transportation Northampton County P-3309	This crossing closure agreement covers the permanent closing of Crossing Number 630 107 R, Post Office Road, located in Northampton County. The Department shall notify the Railroad as to the date the crossing can be closed, haul and dispose of asphalt, if requested by the Railroad, and grade and seed areas of the adjacent
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roadway and/or track bed. CSX Transportation shall remove said crossings and reimburse the Department \$4,000 for the cost of barricading and signing the closed crossings.

Division 2

County of Beaufort
Beaufort County
R-1014 A
34359.3.3

This project consists of the widening of NC 32 from SR 1309 (Christian Service Road) to SR 1300 (River Road).

At the request of the County, the Department shall construct sidewalk along the north side of SR 1300 (River Road) for approximately 8,360 in conjunction with the Department's roadway project. The County shall acquire all right of way or construction easements needed for the construction of the sidewalks, relocate and adjust all utilities, assume all maintenance and liability responsibilities of the sidewalk facility upon completion of the work and reimburse the Department twenty percent (20%) of the cost of the sidewalk. (Estimated cost to the County is \$20,000.)

Division 5

City of Raleigh &
Town of Cary
Wake County
P-3414
38263

The project consists of improvements to the track and signal facilities of CSXT on the railroad right-of-way of the North Carolina Railroad Company (NCRR) between Boylan and Fetner to facilitate the operation of the Department's passenger rail service. This supplemental agreement will cover additional construction

improvements of bridges at the following locations: Hillsborough Road, MP S 161.51; SR 1697, MP 164.80; and Dan Allen Drive underpass, MP S 158.80. (Estimated cost to the Department is \$500,000).

Town of Wendell
Wake County
B-3522
33131.3.1

This project consists of the replacement of Bridge #215 over Buffalo Creek and approaches on SR 1007 (Poole Road) south of Wendell.

At the request of the Municipality, the Department shall include provisions in the construction contract for the contractor to relocate and adjust municipally owned sewer lines. The Municipality shall reimburse the Department the entire cost of said utility work. (Estimated cost to the Municipality is \$75,720).

Research Triangle Foundation of North
Carolina, Agent For Durham-Wake
Counties Research and Production Service
District
Durham County
R-2904
34512.3.1

This project consists of the widening of NC 54 from (Davis Drive) to Miami Boulevard.

At the request of the District, the Department shall be responsible for the construction of any additional work necessary for relocating two (2) existing bus shelters along NC 54 (Davis Drive) to Miami Boulevard. The District shall reimburse the Department one hundred percent (100%) of the actual cost of the work, including administrative costs. (Estimated cost to the District is \$10,000).

City of Morrisville
Wake County
U-3344 A

This project consists of the improvement of SR 3015 (Airport Boulevard) from NC 54 to McCrimmon Parkway in Morrisville. The Department shall prepare the environmental and/or planning document including any permits, project plans and specifications, acquire any needed right of way, relocate and adjust utilities and construct the project. The Municipality shall relocate and adjust any municipally owned water and sewer lines and any

utilities under franchise.

City of Durham
Durham County
R-2904
34512.3.1

This project consists of the widening of NC 54 from SR 1999 (Davis Drive) to SR 1959 (South Miami Boulevard) in Durham.

At the request of the Municipality, the Department shall include in its construction contract for the contractor to relocate and adjust municipally owned water lines. The Municipality shall reimburse the Department the entire cost of said utility work. (Estimated cost to the Municipality is \$190,197.00).

Division 6

City of Fayetteville &
Public Works Commission
Cumberland County
U-2912
34885.3.2

This project consists of the construction of the Owen Drive Extension from I-95 Business to NC 87 at SR 2283 east of Mountain Drive in Fayetteville.

At the request of the Municipality/Commission, the Department shall include in its construction contract for the contractor to relocate and adjust municipally owned water and sewer lines. The Municipality/Commission shall reimburse the Department the entire cost of said utility work. (Estimated cost to the Municipality/Commission is \$22,724.50).

Division 7

Town of Carrboro
Orange County
U-4726 A

This project consists of the construction of a five (5) foot sidewalk along Hanna Street from Greensboro Street (SR 1772) in Carrboro for approximately 1150 feet. The Municipality shall be responsible for the preparation of the environmental and/or planning document, including any environmental permits, needed to construct the project, design and prepare project

plans, specifications, quantities and details, relocate and adjust all utilities, acquire any right of way or easements, construct and administer the work for said project. The Municipality shall be responsible for certifying, in writing, to the Department that all work was accomplished in accordance with Federal procedures, guidelines, standards and specifications prior to any payment being made to the Municipality. The Municipality shall invoice the Department in the amount of \$55,564 from the State Transportation Program Direct Attributable funds allocation upon completion of the project.

Town of Carrboro
Orange County
U-4726 B

This project consists of the construction of a five (5) foot sidewalk along Bolin Forest Drive from Greensboro Street (SR 1772) to Stable Road in Carrboro for approximately 350 feet. The Municipality shall be responsible for the preparation of the environmental and/or planning document, including any environmental permits, needed to construct the project, design and prepare project plans, specifications, quantities and details, relocate and adjust

Town of Carrboro
Orange County
E-4828

all utilities, acquire any right of way or easements, construct and administer the work for said project. The Municipality shall be responsible for certifying, in writing, to the Department that all work was accomplished in accordance with Federal procedures, guidelines, standards and specifications prior to any payment being made to the Municipality. The Municipality shall invoice the Department in the amount of \$15,960 from the State Transportation Program Direct Attributable funds allocation upon completion of the project.

This project consists of the construction of a 1.2-mile long, 10-foot wide asphalt and/or concrete multi-use path (Morgan Creek West) from Smith Level Road to University Lake. The Municipality shall be responsible for the preparation of the environmental and/or planning document, including any environmental permits, needed to construct the project, design and prepare project plans, specifications, quantities and details for said project. The Municipality shall be responsible for certifying, in writing, to the Department that all work was accomplished in accordance with Federal procedures, guidelines, standards and specifications prior to any payment being made to the Municipality. The Municipality shall invoice the Department in the amount of \$40,000 from the State Transportation Program Direct Attributable funds allocation upon completion of the work.

City of Greensboro &
County of Guilford
Guilford County
E-2971 G
33913.3.14

This project consists of the enhancement funding for the construction of a sidewalk on SR 3143 (Millstream Road) at the new Citicorp Financial Service Center in Sedalia. The County shall prepare the environmental documentation, including any environmental permits, sidewalk design and project plans, construct and administer the project. The Municipality shall relocate and adjust utilities, and assume all liability maintenance responsibilities of the sidewalk facility upon completion of project. The Department

shall be responsible for all costs associated with the construction of the sidewalks. (Estimated construction cost of the project is \$72,200).

Town of Jamestown
Guilford County
B-3652
33198.3.1

This project consists of the replacement of Bridge # 20 over the Deep River on SR 4121 (Old US 29/70A) known as West Main Street and Greensboro-High Point Road. The Department shall prepare the environmental and/or planning document, project plans and specifications, construct the project, acquire any needed right of way, and relocate and adjust utilities. The Municipality shall relocate and adjust any municipally owned utilities, except water and sewer lines, and any utilities under franchise.

Orange Water and Sewer Authority
Orange County
U-4008
35009.3.2

This project consists of the improvements to US 15-501 and SR1734 (Erwin Road) in Chapel Hill.

At the request of OWASA, the Department shall include provisions in the construction contract for the contractor to perform certain betterment utility work to OWASA owned water, sewer lines and valves. OWASA shall reimburse the Department the cost of said utility work. (Estimated cost to the OWASA is \$60,421.05).

City of Greensboro
Guilford County
U-2524 AC
34820.3.8

This project consists of the improvements to the Western Loop from north of I-85 near Groometown to north of High Point Road and improvements to the Western Loop north of Norfolk Southern Railroad to I-40 Interchange in Greensboro.

At the request of the Municipality, the Department shall include in its construction contract for the contractor to relocate and adjust municipally owned water and sewer lines and install sewer lift station. The Municipality shall reimburse the

Department the entire cost of said utility work. (Estimated cost to the Municipality is \$192,609.33).

Division 9

Salisbury-Rowan Utilities Department
Rowan County
R-2911 D
34517.2.4

This project consists of the construction of US 70 from west of SR 1739 Hildebrand Road) to west of SR 1953 (Kepley Road).

At the request of SRUD, the Department shall include provisions in the construction contract for the contractor to relocate and adjust water and sewer lines. SRUD shall reimburse the Department the cost of said utility work in three (3) equal annual principle installments. (Estimated cost to SRUD is \$112,261.25).

Division 12

CSX Transportation
Gaston County
P-3309

This crossing closure agreement covers the permanent closure of the SR 1427 (Grove Road) rail crossing, Crossing No. 631 885R, Milepost SF-374). The Railroad will permanent close said crossing upon notification from the Department and reimburse the Department a lump sum in the amount of \$4,000 for the cost of barricading and signing the closed crossing.

SUMMARY: There are a total of 30 agreements for informational purposes only. The agreements are as follows: 10 Small Construction, 3 Spot Safety, 11 Traffic, 1 Special, 1 SB 1005, 2 Contingency, 1 Maintenance and 1 Secondary Road Construction.

Division 2

Bennett Vineyards
Beaufort County
36249.15

This project consists of the installation of eight (8) directional signs at NC 33 Southbound at NC 306, NC 33 Northbound at NC 306, NC 55 Eastbound at NC 306, and NC 55 Westbound at NC 306 near Edward in Beaufort County. The Department shall be responsible for the

sign and support design, sign fabrication, preliminary investigation, construction inspections, installation and final inspection of said signs. The Facility shall be responsible for all costs associated with the requested sign installations and reimburse the Department a lump sum payment in the amount of \$3,938.20.

Division 3

Town of Swansboro
Onslow County
36249.2237

This project consists of the Department providing traffic control devices necessary to close one lane/roads to the traveling public and/or detour vehicular traffic. The Department shall provide the personnel, equipment and labor to close lanes on NC 24 for the purpose of the Mullet Festival. The Municipality shall reimburse the Department one hundred percent (100%) of the actual cost, including administrative costs, of the work performed by the Department and associated with said closure. (Estimated cost to the Municipality is \$200.)

New Hanover Co. Water & Sewer District
New Hanover County
36249.2239

This project consists of the Department providing traffic control devices necessary to close one lane/roads to the traveling public and/or detour vehicular traffic. The Department shall provide the personnel, equipment and labor to close Judges Road for the installation of the Kings Grant Sewer Collection System. The County shall reimburse the Department one hundred percent (100%) of the actual cost, including administrative costs, of the work performed by the Department and associated with said closure. (Estimated cost to the County is \$4,000.)

City of Wilmington
New Hanover County
38308

This project consists of the realignment of the intersection at SR 1492 (Pine Grove Drive) and Masonboro Loop Road to allow for free flowing traffic on SR 1492. The Municipality and/or its designated representative shall be responsible for the preparation of the environmental and/or planning document, including any permits, design and prepare plans and specifications, change, adjust and relocate all utilities, acquire property and/or easements for any portion of the project outside of the Department's existing right of way, administer and construct the project. The Department shall participate in the cost of the Department's portion of the roadway project in a lump sum amount of \$235,000.

Wilmington Aviation Foundation
North Carolina Museum of Aviation
New Hanover County
39268

This project consists of the supplemental funding of the restoration of the original ILM Terminal Building to serve as a Welcome Center for Southeastern North Carolina and the North Carolina Museum of Aviation. The Foundation, and/or its agent, shall be responsible for the preparation of any environmental and/or planning document, including any environmental permits, and the plans, contractor specifications and estimates (PS&E package), change, adjust and relocate all utilities, restore and administer the work. The Foundation shall furnish the Department with test reports

and/or professional engineer certifications verifying that the work was constructed in accordance with the approved plans and specifications and ensure compliance with all State and local environmental laws and regulations and ordinances. The Foundation shall assume all maintenance and liability responsibilities of the Welcome Center upon completion of the restoration work. The Department shall participate in the cost of the work in an amount not to exceed \$200,000.

City of Jacksonville
Onslow County
TBD

This project consists of the construction of a sidewalk, of varying widths, along SR 1402 (Old Bridge Street) from the Popkin Bridge to Leonard Street. The Department shall prepare the environmental and/or planning document, including any environmental permits, and the plans, contractor specifications and estimates needed to construct the project, relocate and adjust all utilities, construct and administer the project. The Municipality shall reimburse the Department 50% of the actual cost of the project up to \$35,000.

Division 4

Town of Clayton
Johnston County
36249.2241

This project consists of the installation of an optically actuated emergency vehicle traffic signal pre-emptive device at the intersection of US 70 at SR 1552 (Robertson Street and Amelia Church Road in Clayton. The Department shall provide the plan and traffic signal designs, purchase and/or furnish the traffic signal equipment and install or have installed the traffic signal equipment and pre-emptive device and relocate and/or adjust any and all privately owned utilities in conflict with the installation of the device. The Municipality shall reimburse the

Department 100% of the actual cost of all work performed by the Department including administrative costs. (Estimated cost to the Municipality is \$16,500.)

Division 5

Town of Youngsville
Wake County
30629

This project consists of the construction of a five – (5) foot sidewalk along Oak Street from the intersection of N. Nassau Street to the intersection of E. Main Street for approximately 175 lf. The Department shall prepare the environmental and/or planning document, including any permits, the plans, and contractor specifications. The Municipality shall relocate and adjust utilities, construct and administer the contract and assume all liability and maintenance responsibilities for said sidewalk facility upon completion of the project. The Department shall participate in the actual construction costs of the project in the lump sum amount of \$3,000.00.

Developers Diversified Realty
Wake County
36249.2236

This project consists of the installation of a traffic signal at the following intersections in Wake County: 1). US 64 and SR 1600 (Green Level Church Road) 2). SR 1163 (Kelly Road) and Beaver Creek Commons Drive. The Developer shall prepare project plans and traffic signal design, furnish and install traffic signal equipment, relocate and adjust utilities, and acquire any needed right of way and/or construction easements. The Department shall review the project plans and inspect the work. The Developer shall be responsible for 100% of the actual costs of said work. (Estimated reimbursement to the Department for review and inspection is

\$5,000).

Division 7

Palladium Retail, LLC
Guilford County
36249.2253

This project consists of the installation of new traffic signals at the intersection of SR 1541 (Westover Avenue) at Samet Drive in High Point. The Developer shall prepare the project plans and traffic signal designs, provide and install the equipment, relocate and adjust all utilities and provide any required right of way and/or construction easements. The Department shall review the project plans and inspect the work. The Developer shall be responsible for 100% of the actual cost of the work. (Estimated reimbursement to the Department for review and inspection is \$5,000).

Town of Chapel Hill
Orange County
39698

This project consists of the relocation of Highland Woods Road approximately 200 feet east from its existing location of SR 1900 (Mason Farm Road) in Chapel Hill. The Municipality shall be responsible for the preparation of the environmental and/or planning document, including permits, design and prepare plans and specifications, change, adjust and relocate all utilities, provide any required construction easements, administer and construct the project. The Department shall participate in the actual construction costs of the project in an amount not to exceed \$90,000.00.

Town of Chapel Hill
Orange County
39366

This project consists of relocating the existing railroad crossing on SR 1725 (Millhouse Road) northward to align with the entrance road to the Town of Chapel Hill Operations Center. The Municipality shall prepare the environmental and/or planning document including any permits, the plans, contractor specifications and estimates, acquire for conveyance any necessary right of way, relocate and adjust all utilities, construct and administer the project. The Department shall participate in the actual cost of the project not to exceed an amount of \$50,000.

Division 8

Village of Whispering Pines
Moore County
36249.2215

This project consists of the installation of new pavement markings on Pine Ridge Drive from the intersection with South Lake Shore Drive to the intersection with Old Pee Dee Road (SR 1841).

This Supplemental Agreement amends the total estimated construction cost of the project to reflect an increase of \$1300.00. The Municipality has requested to repaint the centerline on Memorial Causeway and a portion of Sandpiper Drive.

Toms Creek Farm and Nursery
Randolph County
36249.15

This project consists of the installation of six (6) directional signs at location in reasonable close proximity to the facility near Denton in Randolph County. The Department shall be responsible for the sign and support design, sign fabrication, preliminary investigation, construction inspections, and final inspection for said signs. The Facility, and or its agent, shall pick-up, transport and install signs and provide traffic control for sign installations, relocate and adjust utilities, acquire any needed right of way and reimburse the Department a lump sum payment in the amount \$11,427.80.

Sink Construction Company
Randolph County
39424

This project consists of the construction of turn lanes on SR 1619 (Prospect Street) at the entrance to Industrial Park (Prospect Industrial Park) in Trinity. The Department shall prepare the environmental and/or planning document, plans, specifications and estimates (PS&E package), administer and construct the project. The Developer shall relocate and adjust utilities and participate in amount not to exceed \$75,000. (Estimated cost of the project is \$150,000).

Division 9

Town of Lewisville
Forsyth County
39437

This project consists of the widening of Lewisville-Vienna Rs. (SR 1308) from Shallowford Road (SR 100) to Tullyries Lane to three lanes in Lewisville. The Department shall prepare the environmental and/or planning document, plans, specifications and estimates, administer and construct the project. The Municipality shall acquire any needed right of way, relocate and adjust utilities and reimburse the Department for construction costs of \$50,000 upon execution of the agreement. (Estimated total cost of project is \$300,000).

City of Winston-Salem
Forsyth County
U-2926
34896.3.2

This project consists of the installation of 656 feet of sidewalk from Doune Street to the bridge along Main Street in Winston-Salem. The Municipality, and/or its consultant, shall prepare the environmental document, plans, contractor specifications and estimates, acquire any needed right of way, relocate and adjust utilities, and construct the project. The Department shall participate in the actual cost of said project not to exceed \$7,890.

Division 10

Poplin Partners, LP
Union County

This project consists of the design and installation of a traffic signal at the

36249.2231

intersection of US 74 (Roosevelt Boulevard) and Poplin Partners Development. The Developer shall prepare project plans and traffic signal design, furnish and install traffic signal equipment, relocate and adjust utilities, and acquire any needed right of way and/or construction easements. The Department shall review the project plans and inspect the work. The Developer shall be responsible for 100% of the actual costs of said work. (Estimated reimbursement to the Department for review and inspection is \$5,000).

Charlotte Mecklenburg Utilities Department
Mecklenburg County
37691

This project consists of the installation of a left turn lane on NC 16 at the median crossover into the CMUD Facility in Mecklenburg County. The Facility shall prepare the environmental and/or planning document, including any environmental permits, and the plans, contractor specifications and estimates, relocate and adjust utilities, and acquire any needed right of way. The Department shall construct and administer the construction contract for said project. The Facility shall reimburse the Department a lump sum amount of \$115,000 upon completion of the project.

City of Charlotte
Mecklenburg County
39309

This project consists of the design and installation of a fully actuated traffic signal on wood poles at the intersection of NC 115 (Old Statesville Road) and SR 2481 (Hucks Road). The Municipality shall provide the plans and traffic signal design, purchase and install the traffic signal equipment, acquire any needed right of way, and relocate and adjust utilities. The Department shall reimburse the Municipality for actual costs of the project not to exceed \$53,275.

City of Charlotte
Mecklenburg County
39511

This project consists of the design and installation of a fully actuated traffic signal on wood poles at the intersection of

City of Charlotte
Mecklenburg County
39512

SR 2601 (Ridge Road) and Prosperity Church Road. The Municipality shall provide the plans and traffic signal design, purchase and install the traffic signal equipment, acquire any needed right of way, and relocate and adjust utilities. The Department shall reimburse the Municipality for actual costs of the project not to exceed \$70,000.

This project consists of the design and installation of a fully actuated traffic signal on metal poles at the intersection of SR 2459 (Eastfield Road) and Prosperity Church Road. The Municipality shall provide the plans and traffic signal design, purchase and install the traffic signal equipment, acquire any needed right of way, and relocate and adjust utilities. The Department shall reimburse the Municipality for actual costs of the project not to exceed \$40,000.

City of Charlotte
Mecklenburg County
39514

This project consists of the design and installation of a fully actuated traffic signal on wood poles at the intersection of I-485 northbound ramp and US 29 (North Tryon Street), including installation of fiber optic transceivers for the intersections along US 29 and I-485 southbound ramp to Pavilion Boulevard. The Municipality shall provide the plans and traffic signal design, purchase and install the traffic signal equipment, acquire any needed right of way, and relocate and adjust utilities. The Department shall reimburse the Municipality for actual costs of the project not to exceed \$82,000.

Division 11

M & M Development Company
Watauga County
36249.2238

This project consists of the modification of a traffic signal at the intersection of US 221/321 and Deerfield Road in Watauga County. The Developer shall prepare project plans and traffic signal design, furnish and install traffic signal equipment, relocate and adjust utilities, and acquire any needed right of way and/or construction easements. The Department shall review the project plans and inspect the work. The Developer shall be responsible for 100% of the actual costs of said work. (Estimated reimbursement to the Department for review and inspection is \$6,000).

Ragapple Lassie Vineyards
Yadkin County
36249.15

This project consists of the installation of one (1) directional sign at location in reasonable close proximity to the facility near Boonville in Yadkin County. The Department shall be responsible for the sign and support design, sign fabrication, preliminary investigation, construction inspections, and final inspection for said signs. The Facility, and or its agent, shall pick-up, transport and install signs and provide traffic control for sign installations, relocate and adjust utilities, acquire any needed right of way and reimburse the Department a lump sum payment in the amount \$3,276.00.

Division 12

County of Cleveland
Waco Volunteer Fire Department
Cleveland County
12.023023

This Supplemental Agreement provides for the Department to reimburse the County a lump sum payment in the amount of \$2,750 in lieu of \$5,500.

City of Shelby
Cleveland County
37959

This project consists of the removal of existing sidewalk and curb and gutter and to replace it with new sidewalk on Highway 74 Business from NC 18 to Washington Street (along the Court Square) in Shelby. The Municipality shall prepare the environmental and/or planning document including any permits, the plans, contractor specifications and estimates, acquire for

conveyance any necessary right of way, relocate and adjust all utilities, construct and administer the project. The Department shall participate in the actual construction costs of the project in an amount not to exceed \$50,000.

Division 13

Metropolitan Sewage District
Buncombe County
13CR.301105.1

This project consists of the resurfacing, painting pavement markings, and adjustment of manholes on a section of SR 2500 where MSD installed a new sewer line in the pavement of Blue Ridge Road. The Department shall provide the personnel, materials, equipment and labor to accomplish said work. The MSD shall acquire any needed right of way, relocate and adjust utilities, and reimburse the Department 100% of the actual cost of said work. (Estimated cost to the MSD is \$32,092.76).

Division 14

Andrews Chamber of Commerce
Cherokee County

This agreement, in an effort to promote tourism, allows for the Chamber to dispense free brochures of tourist-oriented area attractions at the Andrews Rest Area, located on US 19-74-129 in Cherokee County, Town of Andrews.

Town of Tryon
Polk County
36588

This project consists of the construction of curb and gutter and drainage improvements on US 176 between Howard Street and Ola Mae Street. The Department shall prepare the environmental and/or planning document including any permits, the plans, contractor specifications and estimates. The Municipality shall acquire any needed right of way, relocate and adjust all utilities, and construct and administer the project. The Department shall participate in the construction cost of the project not to exceed an amount of \$75,000 (minus project design and administration costs incurred by the Department).

Approval - State Highway System Changes

Following the recommendation of Laurie Smith, Manager of the Funds Administration Section, a motion was made by Board Member Myers, seconded by Board Member Collier, and the vote was unanimous in approving the following additions and deletions to the State Highway System:

Additions To The State Highway System

Division	County	Municipality	Road	Termini	Length
7	Guilford	Pleasant Garden	East Brekenwood Court	To add East Brekenwood Court in the Brekenwood Subdivision.	0.09
		Stokesdale	Dorsett Downs Dr.	To add Dorsett Downs Drive in the Dorsett Downs Subdivision.	0.70
			Wessex Dr	To add Wessex Drive in the Dorsett Downs Subdivision.	0.28
			Trottington Road	To add Trottington Road in the Dorsett Downs Subdivision.	0.33
		Summerfield	Rebecca Drive	To add Rebecca Drive in the Sunnybrook Acres Subdivision.	0.45
			Cedar Point Drive	To add Cedar Point Drive in the Sunnybrook Acres Subdivision.	0.28
			Smithstone Court	To add Smithstone Court in the Sunnybrook Acres Subdivision.	0.08
			Palomino Ridge Ct.	To add Palomino Ridge Court in the Polo Farms Subdivision.	0.19

Deletions From The State Highway System

Division	County	Municipality	Road	Termini	Length
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10	Cabarrus	Kannapolis	SR 1953	To abandon Macedonia Church Road SR 1953 formerly a portion of SR 1620.	0.18
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Approval - Preliminary Right of Way Plans

The following resolution was unanimously approved upon a motion by Board Member White, which was seconded by Board Member Dunn:

Whereas, the Preliminary Right of Way Plans for the below projects, including Secondary Roads and Industrial Access Roads, provide for the construction, design, drainage and control of access as shown on the respective plans; and

Whereas, based upon the recommendations of the Manager of the Right of Way Branch, the Board finds that such rights of way as shown on these preliminary plans and drawings, including existing public dedicated right of way, are for a public use and are necessary for the construction of said projects; and

Whereas, the rights of way for the location, construction, relocation, and control of access of highways embraced in the below projects shall be as shown in detail on the preliminary right of ways plans and drawings for said projects on file in the Right of Way Branch in the Department of Transportation in Raleigh.

Now, therefore, it is hereby ordained that the Board finds such right of way acquisition to be necessary and hereby authorizes the Right of Way Branch to acquire right of way on the below projects either by negotiation or by condemnation through the Attorney General's Office.

(Division 1)

Pasquotank County; I.D. No. US-3995:

Elizabeth City – NC 34 (Weeksville Road) at SR 1206 (Industrial Park Drive) and Entrance to Elizabeth City State University

(Division 2)

Jones County; I.D. No. PS-3502:
US 17 at SR 1002 (Wise Fork Road)

Lenoir County; I.D. No. PS-3503:
NC 11 at Stoneyton Creek Bridge, North of SR 1744 (Lemuel Dawson Road)

(Division 3)

Onslow County, I.D. No. RS-2562:
SR 1509 (Queens Creek), SR 1576 (Queens Heaven) & SR 1565 (Smallwood Road)

Onslow County, I.D. No. RS-2563:
SR 1406 (Piney Green Road) & the Intersection of S1876 (Aragona Blvd.) & SR 1413 (Rocky Run Road)

(Division 4)

Wayne County; I. D. No. PS-3505:
US 117 at SR 1120 (Dudley Road)

Nash County; I.D. No. RS-2564:
SR 1770 (Sunset Avenue) at Candlewood Drive

Nash County; I.D. No. US-3996:
Rocky Mount – US 301 (Wesleyan Blvd.) at SR 1545 (Bishop Road)

(Division 5)

Franklin County; I.D. No. B-4113:
Bridge No. 15 over the Little River on SR 1106

Wake County; I.D. No. PS-3506:
NC 96 (North Arendell Road) at Dogwood Drive/US 64 WB Exit Ramp

Wake County; I.D. No. RS-2565:
SR 3109 (Brier Creek Pkwy.) at Brier Leaf Lane & SR 3109 (Brier Creek Pkwy.) at Little Brier Creek Lane

Wake County; I.D. No. US-3997:
Raleigh – SR 2215 (Buffaloe Road) at SR 2917 (Valley Stream Drive)

(Division 6)

Cumberland County; I.D. No. B-4093:
Bridge No. 81 over Gum Log Creek on SR 1728

Columbus County; I.D. No. US-3998:
Bolton – US 74 & SR 1800 (Blacksmith Road)

Harnett County; I.D. No. US-3999:
Erwin – NC 217 at SR 1779 (Bunnlevel/Erwin Road) South of Erwin Near the Cape Fear River

(Division 7)

Rockingham County; I.D. No. PS-3509:

NC 87/SR 2817 (Barnes Street) and NC 87/SR 2594 (Holiday Loop)

Rockingham County; I.D. No. RS-2566:

SR 1914 (Oregon Hill Road), SR 1925 (Warsham Mill Road) & SR 1980

Guilford County; I.D. No. W-4706:

NC 62 at SR 3402 (Hunt Road)

(Division 8)

Hoke County; I.D. No. B-4152:

Bridge No. 53 over Puppy Creek on SR 1422

Chatham County; I.D. No. RS-2567:

Bridge No. 24 over SR 1012 (Moncure-Pittsboro Rd.) over US 1

Randolph County; I.D. No. RS-2568:

SR 1004 (Archdale Road) & SR 1570 (Tom Hill Road)

Randolph County; I.D. No. RS-2569:

SR 3252 (Hopewell Church Road) & SR 1556 (Welborn Road)

Richmond County; I.D. No. U-3456:

Rockingham – US 1 (Fayetteville Road) from SR 1424 (Roberdel Road) to SR 1640 (Wiregrass Road)/SR 1442 (Ledbetter Road)

Randolph County; I.D. No. US-4000:

Archdale – US 311 at SR 1526 (Edgar Road)/SR 1929 (Spencer Road)

(Division 9)

Rowan County; I.D. No. R-2911B:

US 70 from the Iredell County Line to SR 1001 (Old Amity Hill Road)

Forsyth County; I.D. No. US-4001:

Kernersville – SR 2643 (Union Cross Road) & SR 1003 (High Point Road) near Kernersville

(Division 10)

Stanly County; I.D. No. B-3700:

Bridge No. 187 over Long Creek on SR 1214

Mecklenburg County; I.D. No. PS-3510:

NC 73 (Sam Furr Road) & SR 2693 (Davidson-Concord Road)

Mecklenburg County; I.D. No. US-4002:

Charlotte – SR 2475 (Prosperity Church Road) & SR 2601 (Ridge Road)

Mecklenburg County; I.D. No. US-4004:

I-485 NB Ramp & US 29 (North Tyson Street)

(Division 11)

Wilkes County; I.D. No. PS-3511:

Intersection of NC 16 at SR 1379 (Raven Wood Subdivision) & SR 1373 (McGlamary Road)

Watauga County; I.D. No. US-4005:

Boone – NC 105 at Wilson Drive

Yadkin County; I.D. No. US-4006:

Booneville – NC 67 & US 601

(Division 12)

Iredell County; I.D. No. PS-3512:

NC 150 at SR 1180 (Doolie Road) & SR 1303 (Perth Road)

Cleveland County; I.D. No. US-4007:

Shelby – NC 18 at SR 1950 (Wyke Road)

Lincoln County; I.D. No. PS-3513:

NC 150 at SR 1366 (Lee Lawing Road)

(Division 13)

Madison County; I.D. No. B-3205:

Bridge No. 30 over Spring Cerrk on NC 209

Burke County; I.D. No. B-4040:

Bridge No. 251 over Hall Creek on SR 1128

Burke County; I.D. No. B-4044:

Bridge No. 04 over Smokey Creek on SR 1515

Burke County; I.D. No. B-4047:

Bridge No. 94 over East Prong Hunting Creek on SR 1972

Rutherford County; I.D. No. B-4266:

Bridge No. 110 over Hills Creek on SR 1991

(Division 14)

Haywood County; I.D. No. US-4009:

Canton – SR 1592 (Beaverdam Street)

Approval - Final Right of Way Plans

Upon a motion by Board Member White, seconded by Board Member Dunn, the following resolution was unanimously approved:

Whereas, right of way acquisition in accordance with the preliminary right of way plans on file in the Right of Way Branch has been determined to be necessary for public use and was authorized by the Board; and

Whereas, certain changes in the right of way have necessitated alteration of the preliminary right of way plans; and

Whereas, final plans have been prepared and provide for the construction, design, drainage and control of access for these projects. The Board finds that such rights of way and control of access as shown on the final plans are for a public use and are necessary for construction. The sections of roads which were shown on the preliminary plans as sections of roads to be abandoned are hereby abandoned and removed from the State Highway System for Maintenance upon the completion and acceptance of the project.

Now, therefore, it is hereby ordained that the rights of way for the location, design and construction of highways embraced in the following projects shall be as shown in detail on the final plans for said projects as follows:

(Division 4)

Project No. 33322.2.2, Nash County, I.D. No. B-3879:

Grading, drainage, signals, paving and structure at bridge over Stoney Creek and approaches on SR 1603, with the right of way indicated upon the final plans for said

project, the same being identified as Addendum 1 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 33487.2.1, Halifax County, I.D. No. B-4134:

Grading, drainage, paving and structure at bridge over tributary of Deep Creek and approaches on SR 1105, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 2 of the December 2, 2004 Board of Transportation Meeting and incorporate herein by reference.

(Division 5)

Project No. 34512.2.2, Durham County, I.D. No. R-2904:

Widening, grading, drainage, paving, and signals at NC 54 from SR 1999 (David Drive) to SR 1959 (Miami boulevard), with the right of way indicated upon the final plans for said project, the same being identified as Addendum 3 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

(Division 6)

Project No. 34336.3.3, Robeson County, I.D. No. R-513A:

Grading, drainage, paving, guardrail, signals, and structures at US 74 from Maxton Bypass to east of SR 1166, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 4 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 34885.2.1, Cumberland County, I.D. No. U-2912:

Grading, drainage, paving, and signals at Owen Drive Ext. from I-95 Business to NC 87 at SR 2283 (East Mountain Drive) in Fayetteville, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 5 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 34336.2.3, Robeson County, I.D. No. R-513BA:

Grading, drainage, paving, guardrail, signals and structures at US 74 east of SR 1166 to west of SR 1157, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 6 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

(Division 8)

Project No. 34431.2.5, Lee County, I.D. No. R-2417BB:

Grading, drainage, paving and structure at US 421 and NC 87 (Sanford Bypass) from east of SR 1521 (Kelly Drive) to east of NC 42, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 7 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 32780.2.1, Durham-Chatham County, I.D. No. B-2963:

Grading, drainage, paving, mitigation and structure at bridge over New Hope Creek and approaches on SR 1107, with the right of way indicated upon the final plans for said

project, the same being identified as Addendum 8 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

(Division 9)

Project No. 34468.2.3, Davidson County, I.D. No. R-2568B:

Grading, drainage, paving, signals and structures at NC 109 from north of I-85 Business to north of SR 1756 (Lexington Avenue) north of Ledford Middle School, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 9 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 33454.3.1, Davidson County, I.D. No. B-4096:

Grading, drainage, paving, and structure at bridge over Rich Fork Creek and approaches on US 29/70 and I-85 Business, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 10 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

(Division 11)

Project No. 34209.3.1, Yadkin County, I.D. No. I-4025A:

Grading, drainage, paving and structure at bridge over Yadkin River, Yadkin Valley Railroad and NC 268 and approaches on I-77, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 11 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

(Division 12)

Project No. 34383.2.3, Lincoln County, I.D. No. R-2206B:

Grading, drainage, paving and structures at NC 16 from north of NC 675 to north of SR 1386 (St. James Church Road), with the right of way indicated upon the final plans for said project, the same being identified as Addendum 12 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 34383.2.4, Catawba-Lincoln County, I.D. No. R-2206C:

Widening, grading, drainage, Y-line paving and structures at NC 16 from SR 1386 (Egypt Road) in Lincoln County to SR 1895 (Tower Road) at existing NC 16 north of Chronicle in Catawba County, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 13 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Project No. 34799.2.1, Gaston County, I.D. No. U-2408:

Widening, grading, drainage, paving, signals and structures at NC 274 from NC 275 to US 29/74 in Gastonia, with the right of way indicated upon the final plans for said project, the same being identified as Addendum 14 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

(Division 14)

Project No. 33212.2.2, Jackson County, I.D. No. B-3667:

Grading, drainage, paving and structures at bridges #47 and #48 over Trout Creek and approaches on SR 1131 (Trout Creek Road), with the right of way indicated upon the final

plans for said project, the same being identified as Addendum 15 of the December 2, 2004 Board of Transportation meeting and incorporate herein by reference.

Approval of Conveyance of Highway Right of Way Residue

“It is hereby resolved, based upon the recommendation of the Manager of the Right of Way Branch, and on a motion by Board Member White, which was seconded by Board Member Dunn, that the following highway right of way conveyances are approved:

(Division 5)

This item was originally approved on February 5, 2004:

Project 8.U401722, Raleigh Outer Loop, Wake County:

Conveyance of approximately 0.58 acre residue, formerly owned by W. A. Robb (Parcel 919), having an appraised value of \$2,400.00 to Stephen J. Kiel, the only interested adjacent owner, for the sum of \$2,400.00.

The corrected item should read as follows:

Project 8.U401722, Raleigh Outer Loop, Wake County:

Conveyance of approximately 1.32 acre residue, formerly owned by J. Scott Keenan (Parcel 901) and W. A. Robb (Parcel 919), having a combined appraised value of \$4,950.00 to Stephen J. Kiel and wife, Diane Kiel, the only interested adjacent owners, for the sum of \$4950.00.

Project 34897.2.2 (8.1403102), US 1/64, Wake County:

Conveyance of approximately 1.99 acre area, formerly owned by Walsmith Associates (8.1401501 Parcel 001) having a nominal value (Donated) to Carolina Investment Partners, LTD, as part of the settlement of their right of way claim with the Department.

(Division 8)

Project 32713.2.1 (8.2520901), Bridge over Haw River on SR 1011, Chatham County:

Conveyance of approximately 0.62 acre area, formerly owned by Mae Poe, widow (Parcel 004) having an appraised value of \$500.00 to Alton George Chambers, the only interested adjacent owner for the sum of \$500.00.

(Division 10)

Project 34448.2.4 (8.1661004), NC 49, Cabarrus County:

Conveyance of approximately 2.65 acre area, formerly owned by Carol H. Isenhour (Parcel 035), Sue H. Lambert, Widow (Parcel 036), Clifford L. Summers, II and wife, Shelia A. Summers (Parcel 048) and Juanita L. Holland and Rayven Lambert, Co-Executors Estate of Ada Ann H. Lambert having a combined appraised value of \$41,000.00 to Harry H. Faggart and wife, Mary Brown Faggart, as part of the settlement of their right of way claim with the Department.

Project 34410.2.7 (6.678008T), Charlotte Western Outer Loop, Mecklenburg County:

Conveyance of approximately 7.212 acre area, formerly owned by George E. Herron (Parcel 025) having a combined appraised value of \$95,600.00 to City of Charlotte, the only interested adjacent owner for the sum of \$95,600.00.

Approval of Conveyance of Surplus Highway Right of Way

“It is hereby resolved, based upon the recommendation of the Manager of the Right of Way Branch, and on a motion by Board Member White, seconded by Board Member Dunn, that the following highway right of way conveyances are approved:

(Division 1)

Project BS 1-6-9-126 (8.11542) 6.099006T, US 13-17, Martin County

Conveyance of approximately 1.67 acre area of surplus right of way acquired from S. C. Griffin (Parcel N/A), having an appraised value of \$75,500.00, to George Bagley the adjacent owner, for a cash consideration of \$75,500.00.

(Division 4)

Project 8.11373, I-95 at US 158, Halifax County

Conveyance of approximately 0.14 acre area of surplus right of way having an appraised value of \$57,700.00, to Thee Car Wash, LLC, the adjacent owner, for a cash consideration of \$57,700.00.

(Division 6)

Owen Drive, Cumberland County

Conveyance of approximately 0.21 acre area of surplus right of way acquired as shown on Plat Book 112 at Page 78 of the Cumberland County Registry, having an appraised value of \$1.00, to City of Fayetteville, for no cash consideration.

Approval of Conveyance of Utility Easement across Residue Property

“It is hereby resolved, based upon the recommendation of the Manager of the Right of Way Branch, and on a motion by Board Member White, which was seconded by Board Member Dunn, that the following highway easement over residue property is approved:

(Division 5)

Project 8.U401719, Raleigh Outer Loop, Wake County:

The Department acquired a residual parcel from Charles M. Winston and wife, Florence B. Winston (Parcel 917 A) during the construction of Raleigh Outer Loop in Wake County. The Department needs to have electrical services on a portion of the residue. The Department has requested Carolina Power and Light to install the electrical services on the residue for the Department's use.

Approval - Advance Acquisition of Highway Right of Way

Upon recommendation of the Manager of the Right of Way Branch, and on a motion by Board Member White, seconded by Board Member Dunn, the Board approved the acquisition of the following properties through negotiation or condemnation for purposes of highway construction in order to prevent undue hardship on property owners or to protect the right of way corridor from development prior to regular project approval. The Board finds such acquisitions to be necessary, and hereby authorizes the Right of Way Branch to acquire said properties either by negotiation or by condemnation through the Office of the Attorney General.

(Division 2)

Property of Beaufort County Farm Bureau, Inc.

I.D. No. R-2510BA, Parcel #901,
WBS 34440.2.3, F. A. Project NA,
County of Beaufort

(Division 5)

Property of Impact Properties Group, LLC

I.D. No. R-2635, Parcel #921,
WBS 35520.2.1, F. A. Project NA,
County of Wake

(Division 6)

Property of Joshua Roose

I NA, .D. No. U-2519A, Parcel #912,
WBS 34817.2.5, F. A. Project
County of Cumberland

(Division 7)

Property of James & Melissa Hodges

I.D. No. U-3615B, Parcel #912,

WBS 34962.2.3, F. A. Project STP-1820(5),
County of Guilford

Property of Lois D. Lackey, et al
I.D. No. U-3303A, Parcel # 901,
WBS 34911.2.3, F. A. Project STP-1306(15),
County of Alamance

(Division 10)

Property of Slater & Sandra Deese
I.D. No. R-2246A, Parcel #922,
WBS 34408.2.2, F. A. Project STP-1004(13),
County of Cabarrus

Approval - Authorization to Condemn Right of Way for Secondary Road Project

The Department has been unsuccessful in acquiring certain right of way for Secondary Roads; and the indemnity bond for the cost of any condemnation proceeding required is being secured in keeping with the Secondary Roads Policy of the Department.

Upon recommendation of the Chief Engineer, and on a motion by Board Member White, seconded by Board Member Dunn, the Board authorized the Right of Way Branch to acquire right of way by condemnation through the Attorney General's office for the following parcel(s):

(DIVISION 11)

CLAIM OF: William John Payne and wife, Barbara Jean Payne
WBS # : 11c.095028
PARCEL #: 003
COUNTY: 095
SR #: 1529C Blackberry Road

Approval - Recommended Transfer of FY 2004-05 Contract Resurfacing Funds

Pursuant to the recommendation of Lacy Love, Director of Asset Management, a motion was made by Board Member Betts, seconded by Board Member Campbell, and the vote was unanimous in approving the Recommended Transfer of FY 2004-2005 Contract Resurfacing Funds as presented:

Division 5:

After careful evaluation of contract resurfacing needs in Division 5, it has been determined that a transfer of funds is necessary. Board approval is needed for the transfer of \$240,000 from Division 5 Urban Resurfacing funds to Division 5 Primary Resurfacing funds. This transfer will allow the Division to address current resurfacing needs on the Primary System. This request has been reviewed and approved by the Chief Engineer – Operations.

Division 10:

After careful evaluation of contract resurfacing needs in Division 10, it has been determined that a transfer of funds is necessary. Board approval is needed for the transfer of \$500,000 from Division 10 Primary Resurfacing funds to Division 10 Secondary Resurfacing funds in Cabarrus County. This transfer will allow the Division to address current resurfacing needs. This request has been reviewed and approved by the Chief Engineer – Operations.

Approval - Senate Bill 1005 Discretionary Fund

Following the recommendation of Steve Varnedoe, Chief Engineer – Operations, a motion was made by Board Member Betts, seconded by Board Member Campbell, and the vote was unanimous to allocate funds to the following projects:

County	Description	Amount
Lenoir Div. 2	Grade, drain, base, and pave SR 1547 (Parrott-Dickerson Road) near Kinston from SR 1548 (Hill Farm Road) for a distance of 0.62 mile. Also construct left and right turn lanes off SR 1548 onto SR 1547. Lenoir County Economic Development will provide necessary 100 ft. right of way. Smithfield Foods processing plant has committed \$85 million of investment into this new pork processing plant. The initial phase will create 206 new jobs for Lenoir County with expansion plans for up to approximately 700 jobs in the future. WBS 39712	\$350,000.00

Approval - Update the Greensboro Urban Area Metropolitan Planning Organization Thoroughfare Plan

Mike Bruff, Manager of the Transportation Planning Branch, advised that the Department had worked cooperatively with the Greensboro Urban Area Metropolitan Planning Organization (MPO) on an update to the urban area's thoroughfare plan. A comprehensive study and review was conducted on the

Greensboro Urban Area MPO highway system. It will serve as a guide for future highway development.

The Greensboro Urban Area Thoroughfare Plan is an element of the 2030 Long-Range Transportation Plan (LRTP). It is referenced by local development ordinances for the purposes of establishing local infrastructure standards and regulating land development.

The Transportation Advisory Committee (TAC) adopted this update for the Greensboro Urban Area MPO on October 27, 2004. We have on file a certified copy of their resolution.

Greensboro Urban Area MPO Thoroughfare Plan map revision dated, October 27, 2004 is available through the Transportation Planning Branch of the North Carolina Department of Transportation.

Contact: Jim Neely
Transportation Planning Branch
1554 Mail Service Center
Raleigh, NC 27699
Phone (919) 733-4705
Fax (919) 733-2417

Upon adoption by the North Carolina Department of Transportation, copies of this map will be available through the Greensboro Department of Transportation Planning Division.

Accordingly, on a motion by Board Member Perkins, seconded by Board Member Dunn, the board approved the Greensboro Urban Area Thoroughfare Plan.

Approval - Town of Norlina Thoroughfare Plan

Mike Bruff, Manager of the Transportation Planning Branch, advised that the Department has worked cooperatively with the town of Norlina on the development of a thoroughfare plan. This plan is based on an analysis of existing travel and land use, projections of travel based on projected population, economic conditions, anticipated land use patterns, and field investigations

of proposed thoroughfare alignments. The study will be documented in a report by the Transportation Planning Branch.

The plan has been approved by the town of Norlina and we have on file a certified copy of their resolution of approval dated November 1, 2004. A public hearing was held on the recommended plan on November 1, 2004. The Kerr-Tar Rural Planning Organization endorsed this thoroughfare plan during its meeting on November 18, 2004.

The Norlina Thoroughfare Plan map dated September 9, 2004 is available through the Transportation Planning Branch of the North Carolina Department of Transportation.

Contact: Jim Neely
NCDOT
Transportation Planning Branch
1554 Mail Service Center
Raleigh, NC 27699-1554
Phone (919) 733-4705
Fax (919) 733-2417

Upon adoption by the North Carolina Department of Transportation, copies of this map will be available through the town of Norlina government offices.

Accordingly, on a motion by Board Member Perkins, seconded by Board Member Dunn, the Board approved the Norlina Thoroughfare Plan.

Approval - Fayetteville Urban Area Metropolitan Planning Organization and Cumberland County Rural Area Highway Plan

Mike Bruff, Manager of the Transportation Planning Branch, advised that the Department has worked cooperatively with the Fayetteville Urban Area Metropolitan Planning Organization (MPO) on a full update to the urban area's highway plan. In conjunction, we have also worked cooperatively with the Cumberland County Rural Areas on the development of a highway plan.

Both plans have been combined to create a regional plan for the area. This plan is based on an analysis of existing travel and land use, projections of travel based on projected population, economic conditions, anticipated land use patterns, and field investigations of proposed thoroughfare alignments. The study will be documented in a report by the Transportation Planning Branch. The plan will serve as a guide for future highway development.

The Fayetteville Urban Area and Cumberland County Rural Area Highway Plan is an element of the 2030 Long-Range Transportation Plan (LRTP). It is referenced by local development ordinances for the purposes of establishing local infrastructure standards and regulating land development.

The Transportation Advisory Committee (TAC) adopted this full update for the Fayetteville Urban Area MPO on October 27, 2004. We have on file a certified copy of their resolution.

The plan has been approved by Cumberland County and we have on file a certified copy of their resolution of approval dated November 15, 2004. A public hearing was held on the recommended plan on November 15, 2004. The Mid-Carolina Rural Planning Organization endorsed this highway plan during its meeting on September 28, 2004.

The portion of the plan within the Town's jurisdiction has been approved by the Town of Linden and we have on file a certified copy of their resolution of approval dated October 19, 2004. A public hearing was held on the recommended plan on October 19, 2004.

The portion of the plan within the Town's jurisdiction has been approved by the Town of Godwin and we have on file a certified copy of their resolution of approval dated October 18, 2004. A public hearing was held on the recommended plan on October 18, 2004.

The portion of the plan within the Town's jurisdiction has been approved by the Town of Wade and we have on file a certified copy of their resolution of approval dated October 12, 2004. A public hearing was held on the recommended plan on October 12, 2004.

The portion of the plan within the Town's jurisdiction has been approved by the Town of Stedman and we have on file a certified copy of their resolution of approval dated October 7, 2004. A public hearing was held on the recommended plan on October 7, 2004.

The portion of the plan within the Town's jurisdiction has been approved by the Town of Falcon and we have on file a certified copy of their resolution of approval dated October 4, 2004. A public hearing was held on the recommended plan on October 4, 2004.

Fayetteville Urban Area MPO and Cumberland County Highway Plan map update dated, September 2, 2004 is available through the Transportation Planning Branch of the North Carolina Department of Transportation.

Contact: Jim Neely
Transportation Planning Branch
1554 Mail Service Center
Raleigh, NC 27699
Phone (919) 733-4705
Fax (919) 733-2417

Upon adoption by the North Carolina Department of Transportation, copies of this map will be available through the Fayetteville Urban Area Metropolitan Planning Organization.

Accordingly, on a motion by Board Member Perkins, seconded by Dunn, the board approved the Fayetteville Urban Area MPO and Cumberland County Highway Plan.

Additional Business

Approval – Administrative Code Change Regarding Prequalification: Advertising and Bidding Regulations

Upon the recommendation from the Audit and Contract Committee, a motion was made by Board Member Cox and seconded by Board Member Betts to approve the following:

SECTION .0800 - PREQUALIFICATION: ADVERTISING AND BIDDING REGULATIONS

19A NCAC 02D .0801 PREQUALIFYING TO BID: REQUALIFICATION AND REQUALIFYING

(a) In order to ensure that contracts are awarded to responsible bidders, prospective bidders shall prequalify with the Department. The requirements for prequalification are as follows: Applicant shall submit a completed NCDOT Experience Questionnaire along with any additional supporting information requested by the Department as noted in the prequalification package. Additional requirements for prequalification will be set forth in the contract documents.

- (1) Bidders shall comply with all applicable laws regulating the practice of general contracting as contained in G.S. 87.
- (2) Bidders, both prime contractors and subcontractors shall requalify every 3 years.
- (3) The Department will conduct an annual review of indices such as, but not limited to Safety Index, Environmental Responsibility Index, Project Progress History Index and Quality Index of both prime contractors and subcontractors. Low ratings on such reviews may cause the Contractor and subcontractor to be disqualified.
- (4) The Department may have specific contractor qualifications for specific projects, set forth in the contract documents.

- ~~(1) Applicant must submit a completed NCDOT Experience Questionnaire along with any additional supporting information requested by the Department.~~
- ~~(2) Applicant must demonstrate that he has sufficient ability and experience in related highway construction projects to perform the work specified in NCDOT contracts, including the type and dollar value of previous contracts.~~
- ~~(3) Applicant must demonstrate a history of successful performance and completion of projects in a timely manner, subject to contractual time adjustments.~~
- ~~(4) Applicant must demonstrate the financial ability to furnish bonds as specified in G.S. 44A-26.~~
- ~~(5) Applicant must demonstrate sufficient available equipment to perform highway construction contracts in a timely manner.~~
- ~~(6) Applicant must demonstrate sufficient available experienced personnel to perform highway construction contracts. The identities and qualifications of both management and labor work force shall be provided.~~
- ~~(7) Applicant must provide names and addresses of persons for whom the firm has performed related type work. Responses from the references must be on Department of Transportation forms and must be received by the Department prior to evaluating the request for prequalification.~~
- ~~(8) Applicant must provide any information requested concerning the corporate and operational management structure of the company, the identity of persons or entities owning stock or other equity interest in the company, and the relationship between the applicant and any other company prequalified with the Department or applying for prequalification.~~

Any prospective bidder, not prequalified, may request a NCDOT Experience Questionnaire form from the State Contractual Services Engineer, Division of Highways, Department of Transportation, P.O. Box 25201, Raleigh, NC 27611. The Experience Questionnaire form must be completed in its entirety and signed by an officer of the firm; the officer's signature shall be notarized. In addition to submitting the Experience Questionnaire form as set forth in this Rule, the prospective bidder shall submit supporting information in a format of his/her choosing to address the requirements listed in this Rule. All required statements and documents shall be filed with the State Highway Construction and Materials Engineer by the prospective bidder at least two weeks prior to the date of opening of bids. A bid shall not be opened unless all

~~prequalification requirements have been met by the bidder and have been found to be acceptable by the Chief Engineer-Operations.~~

(b) Upon a determination by the Department that all prequalification requirements have been met, the applicant shall be assigned a Prequalification Number. This Prequalification Number shall thereafter be assigned to all applicants for prequalification or requalification which the Department determines are under sufficient common ownership and management control to warrant prequalification as a single entity. This determination by the Department shall be based on the information submitted with the Experience Questionnaire, annual review of indices, and any other information obtained by the Department.

~~(c) Bidders shall comply with all applicable laws regulating the practice of general contracting as contained in G.S. 87.~~

~~(d) All bidders must requalify biennially. To requalify, the prospective bidder must submit a completed Experience Questionnaire form, acceptable to the State Highway Construction and Materials Engineer, on or before the anniversary date of the original prequalification. Experience Questionnaire forms shall be furnished approximately 30 days prior to the anniversary date and must be completed and executed in the same manner as the original form. The Experience Questionnaire form shall be submitted to the State Contractual Services Engineer.~~

*History Note: Authority G.S. 136-18(1); 136-28.1; 136-44.1; 136-45; 143B-350(f);
Eff. April 3, 1981;
Amended Eff. October 1, 1995; December 1, 1994; December 29, 1993;
November 1, 1991.*

19A NCAC 02D .0802 INVITATION TO BID COMBINED .0802 AND .0803

~~After an advertisement to bid has been made, an invitation to bid will be mailed to contracting firms, material suppliers, and other interested parties who have requested they be placed on the invitation to bid mailing list, informing them that bids will be received for the construction of specific projects. Such invitation will indicate the project number, length, locations, and descriptions; a general summary of the items and approximate quantities of work to be performed; and the time and place for the public opening and reading of the bids received. Information concerning the cost and the availability of plans and proposal forms will also be indicated in the invitation to bid.~~

*History Note: Authority G.S. 136-18(1); 136-28.1; 143B-350(g);
Eff. April 3, 1981;
Amended Eff. December 1, 1993.*

19A NCAC 02D .0803 ADVERTISEMENT AND INVITATIONS FOR BIDS

(a) The invitation to bid and advertisement will be in accordance with the Specifications.

(ba) All projects will be advertised in three widely circulated daily newspapers throughout the state prior to the bid opening.

(cb) An invitation to bid will be mailed to those contracting firms, material suppliers and other interested parties who have requested they be placed on the invitation to bid mailing list. This invitation to bid will be mailed out on the day the advertisement appears in the newspapers.

*History Note: Authority G.S. 136-28.1; 143-129;
Eff. April 3, 1981;
Amended Eff. December 1, 1993; November 1, 1991.*

19A NCAC 02D .0804 CONTENTS OF PROPOSAL FORMS DELETED (IN SPECIFICATIONS)

- ~~(a) A proposal form will be furnished by the Department upon request. Each proposal form will be marked on the front cover by the Department with the name of the firm or individual to whom it is being furnished. This form will state the location of the contemplated construction and will show a schedule of contract items with the approximate quantity of each of these items for which bid prices are invited. It will set forth the date and time for the opening of bids. The form will also include any special provisions or requirements which vary from or are not contained in the plans or standard specifications.~~
- ~~(b) All papers bound with the proposal form are necessary parts thereof and shall not be detached, taken apart, or altered.~~
- ~~(c) The plans, standard specifications, and other documents designated in the proposal form shall be considered a part of the proposal form whether attached or not.~~
- ~~(d) The prospective bidder will be required to pay the Department of Transportation the sum stated in the invitation to bid for each copy of the proposal form and each set of plans requested.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981.*

19A NCAC 02D .0805 COMBINATION BIDS

If the Department so elects, proposals may be issued for projects in combination or separately, so that bids may be submitted either on the combination or on separate units of the combination. The right is reserved to make awards on combination bids or separate bids to the best advantage of the Department. No combination bids, other than those specified by the Department in the proposal will be considered.

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981.*

19A NCAC 02D .0806 INTERPRETATION OF QUANTITIES IN PROPOSAL FORM DELETED (SPECIFICATIONS)

- ~~(a) The quantities appearing in the proposal form are approximate only and are to be used for the comparison of bids. Payment to the contractor will be made only for the actual quantities of the various items that are completed and accepted in accordance with the terms of the contract.~~
- ~~(b) When quantities are shown for items to be bid on a lump sum basis, these quantities are furnished for the convenience of bidders, and the Department assumes no responsibility for, nor guarantees as correct, any quantity given.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981.*

19A NCAC 02D .0807 EXAMINATION OF PLANS: SPECS: CONTRACT: AND SITE OF WORK-DELETED (SPECIFICATIONS)

~~The bidder shall examine carefully the site of the work contemplated, the plans and specifications, and the proposal and contract forms therefor. The submission of a bid shall be conclusive evidence that the bidder has investigated and is satisfied as to the conditions to be encountered, as to the character, quality, and scope of work to be performed; the quantities of materials to be furnished; and as to the requirements of the proposal form, plans, specifications, and contract.~~

~~A bidder or contractor shall make such independent investigation and examination as he deems necessary to satisfy himself as to conditions to be encountered in the performance of the work and with respect to possible local material sources, the quality and quantity of material available from such property, and the type and extent of processing that may be required in order to produce material conforming to the requirements of the specifications.~~

*History Note: Filed as a Temporary Amendment Eff. March 15, 1982, for a period of 47 days to expire on May 1, 1982;
Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Amended Eff. October 1, 1993; March 1, 1984; May 1, 1982.*

19A NCAC 02D .0808 PREPARATION AND SUBMISSION OF BIDS

All bids shall be prepared and submitted in accordance with the following listed requirements: applicable Laws and Specifications.

- ~~(1) The proposal form furnished by the department shall be used and shall not be taken apart or altered. The bid shall be submitted on the same proposal form which has been furnished to the bidder by the department as identified by the bidder's name marked on the front cover by the department.~~
- ~~(2) All entries including signatures shall be written in ink.~~
- ~~(3) The bidder shall submit a unit or lump-sum price for every item in the proposal form other than items which are authorized alternates to those items for which a bid price has been submitted. As an exception to this Rule, when the proposal form permits a bidder to submit a bid on only a portion of the work covered by the entire proposal form, the bidder shall then submit a unit or lump-sum price for every item constituting that portion of the work on which the bidder has elected to place a bid other than items which are authorized alternates to those items for which a bid price has been submitted. The unit or lump-sum prices bid for the various contract items shall be written in figures. The unit prices shall be rounded off by the bidder to contain no more than four decimal places.~~
- ~~(4) An amount bid shall be entered in the proposal form for every item on which a unit price has been submitted. The amount bid for each item other than lump-sum items shall be determined by multiplying each unit bid price by the quantity for that item, and shall be written in figures in the "Amount Bid" column in the proposal~~

- ~~form. In the case of lump sum items, the price shall be written in figures in the "Amount Bid" column in the proposal form.~~
- ~~(5) The total amount bid shall be written in figures in the proper place in the proposal form. The total amount bid shall be determined by adding the amounts bid for each item.~~
 - ~~(6) Changes in any entry shall be made by marking through the entry in ink and making the correct entry adjacent thereto in ink. A representative of the bidder shall initial the change in ink.~~
 - ~~(7) The bid shall be properly executed. In order to constitute proper execution, the bid shall be executed in strict compliance with the following:
 - ~~(a) If a bid is by an individual, it shall show the name of the individual and shall be signed by the individual with the word "Individually" appearing under the signature. If the individual operates under a firm name, the bid shall be signed in the name of the individual doing business under the firm name.~~
 - ~~(b) If the bid is by a corporation, it shall be executed in the name of the corporation by the president, vice president, or assistant vice president. It shall be attested by the Secretary or assistant secretary. The seal of the corporation shall be affixed. If the bid is executed on behalf of a corporation in any other manner than as listed in this Rule, a certified copy of the minutes of the board of directors of said corporation authorizing the manner and style of execution and the authority of the person executing shall be attached to the bid or shall be on file with the department.~~
 - ~~(c) If the bid is made by a partnership, it shall be executed in the name of the partnership by one of the partners.~~
 - ~~(d) If the bid is a joint venture, it shall be executed by each of the joint venturers in the appropriate manner set out in this Rule. In addition, the execution by the joint venturers shall appear below their names.~~
 - ~~(e) The bid execution shall be notarized by a notary public whose commission is in effect on the date of execution. Such notarization shall be applicable both to the bid and to the non-collusion affidavit which is part of the signature sheets.~~~~
 - ~~(8) The bid shall not contain any unauthorized additions, deletions, or conditional bids.~~
 - ~~(9) The bidder shall not add any provision reserving the right to accept or reject an award, or to enter into a contract pursuant to an award.~~
 - ~~(10) The bid shall be accompanied by a bid bond on the form furnished by the department or by a bid deposit. The bid bond shall be completely and properly executed in accordance with the requirements of Rule .0809 of this Section. The bid deposit shall be a certified check or cashiers check in accordance with Rule .0809 of this Section.~~
 - ~~(11) The bid shall be placed in a sealed envelope and shall have been delivered to and received by the department prior to the time specified in the invitation to bid.~~
 - ~~(12) The bid shall not be an unbalanced bid.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Amended Eff. November 1, 1991; July 1, 1982.*

19A NCAC 02D .0809 BID BOND OR BID DEPOSIT

(a) Each bid shall be accompanied by a corporate bid bond or a bid deposit of a certified or cashiers check in the amount of at least five percent of the total amount bid for the contract **in accordance with the Specifications**. ~~No bid will be considered or accepted unless accompanied by one of the foregoing securities. The bid bond shall be executed by a corporate surety licensed to do business in North Carolina and the certified check or cashiers check shall be drawn on a bank or trust company insured by the Federal Deposit Insurance Corporation and made payable to the Department of Transportation in an amount of at least five percent of the total amount bid for the contract.~~

~~(b) The condition of the bid bond or bid deposit is: the principal shall not withdraw its bid within 60 days after the opening of the same, and if the Board of Transportation shall award a contract to the principal, the principal shall within 10 days after the notice of award is received by him, give payment and performance bonds with good and sufficient surety as required for the faithful performance of the contract and the protection of all persons supplying labor and materials in the prosecution of the work; in the event of the failure of the principal to give such payment and performance bond such contract and execute such documents as required then the amount of the bid bond shall be immediately paid to the Department as liquidated damages or, in the case of a bid deposit, the deposit shall be forfeited to the Department.~~

~~(c) Withdrawal of a bid due to a mistake made in the preparation of the bid, where permitted by Rule .0813 of this Section shall not constitute withdrawal of a bid as cause for payment of the bid bond or forfeiture of the bid deposit.~~

~~(d) When a bid is secured by a bid bond, the bid bond shall be on the form furnished by the Department. The bid bond shall be executed by both the bidder and a corporate surety licensed under the laws of North Carolina to write such bonds. The execution by the bidder shall be in the same manner as required by Rule .0808 of this Section for the proper execution of the bid. The execution by the corporate surety shall be the same as is provided for by Rule .0808(7)(b) of this Section for the execution of the bid by a corporation. The seal of the corporate surety shall be affixed to the bid bond. The bid bond form furnished is for execution of the corporate surety by a General Agent or Attorney in Fact. A certified copy of the Power of Attorney shall be attached if the bid bond is executed by a General Agent or Attorney in Fact. The Power of Attorney shall contain a certification that the Power of Attorney is still in full force and effect as of the date of the execution of the bid bond by the general agent or Attorney in Fact. If the bid bond is executed by the corporate surety by the President, Vice President, or Assistant Vice President and attested to by the Secretary or Assistant Secretary, then the bid bond form furnished shall be modified for such execution, instead of execution by the Attorney in Fact or the General Agent.~~

~~(e) When a bid is secured by a bid deposit (certified check or cashiers check), the execution of a bid bond will not be required.~~

~~(f) If the bidder has failed to meet all conditions of the bid bond but the Department has not received the amount due under the bid bond, the Bidder may be disqualified from further bidding as provided in Rule .0816 of this Section.~~

*History Note: Authority G.S. 136-18(1); 136-28.1; 143-129;
Eff. April 3, 1981;
Amended Eff. October 1, 1993; November 1, 1991.*

19A NCAC 02D .0810 DELIVERY OF BIDS

(a) All bids shall be delivered to the Department prior to the time specified **in the contract documents to bid**. ~~placed in a sealed envelope having the name and address of the bidder, and~~

~~the statement "Bid for the Construction of State Highway Project No. _____ in _____ County (Counties)" on the outside of the envelope.~~

~~(b) If delivered in person, the sealed envelopes shall be delivered to the office of the Contract Officer as indicated in the invitation to Bid, except that if it is delivered in person on the day on which bids are to be opened, it shall be delivered to the place indicated in the invitation to bid. If delivered by mail, the sealed envelope shall be placed in another sealed envelope and the outer envelope addressed to the Contract Officer, Division of Highways, North Carolina Department of Transportation, Raleigh, N. C. 27611. The outer envelope shall also bear the statement "Bid for the Construction of State Highway Project No. _____."~~

~~(c) All bids shall be delivered prior to the time specified in the invitation to bid. All bids received after such time will not be accepted and will be returned to the bidder unopened.~~

~~(b) Electronic bids shall be submitted via approved Department electronic bidding software in accordance with Rule 0.0828 of this section.~~

*History Note: Filed as a Temporary Amendment Eff. March 15, 1982, for a period of 47 days to expire on May 1, 1982;
Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Amended Eff. November 1, 1991; July 1, 1982; May 1, 1982.*

19A NCAC 02D .0811 WITHDRAWAL OR REVISION OF BIDS DELETED (COMBINED WITH 0.0813)

~~A bidder may, without prejudice to himself, withdraw a bid after it has been delivered to the Department, provided the request for such withdrawal is made either in writing or by telegram to the Chief Engineer Operations or the engineer presiding over the public opening of bids before the date and time set for the opening of bids. The bidder may then submit a revised bid provided it is received prior to the time set for opening of bids.~~

~~Only those persons authorized to sign bids under the provisions of Rule .0808(7) of this Section shall be recognized as being qualified to withdraw a bid.~~

~~Withdrawal of a bid after the date and time set for the opening of bids will be permitted only in accordance with Rule .0813 of this Section.~~

*History Note: Authority G.S. 136-18(1); 136-28.1; 143-29.1;
Eff. April 3, 1981;
Amended Eff. October 1, 1993; November 1, 1991.*

19A NCAC 02D .0812 RECEIPT AND OPENING OF BIDS

(a) ~~Paper~~ bBids will be opened and read publicly at the time and place indicated in the invitation to bid. Bidders, their authorized agents, and other interested parties are invited to be present.

(b) Electronic bids will be decrypted, opened, printed to paper and read publicly at the time and place specified in the invitation to bid.

~~(b) A bid will be received and opened from any bidder who:~~

- ~~(1) _____ is prequalified in accordance with the provisions of Rule .0801 of this Section; and~~
- ~~(2) _____ has delivered the bid to the place indicated in the specifications prior to the time indicated in the invitation to bid.~~

~~(c) A bid received from a bidder who has not complied with the requirements in this Rule will be returned to the bidder unopened and under no circumstances will be considered for award.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Amended Eff. July 1, 1982.*

19A NCAC 02D .0813 ~~WITHDRAW OF BIDS — MISTAKE~~ REVISION OR WITHDRAWAL OF BIDS (COMBINED WITH 0.0811)

(a) Revision by contractor: The Department may allow a bidder to withdraw and revise a bid in accordance with the Specifications.

(b) Withdrawal by contractor: The Department may allow a bidder to withdraw a bid in accordance with the Specifications.

~~(a) Criteria for Withdrawal of Bid: The Department of Transportation may allow a bidder submitting a bid pursuant to G.S. 136-28.1 for construction or repair work to withdraw his bid after the scheduled time of bid opening upon a determination that:~~

- ~~(1) a mistake was in fact made in the preparation of the bid;~~
- ~~(2) the mistake in the bid is of a clerical or mathematical nature and not one of bad judgment, carelessness in inspecting the work site, or in reading the plans and specifications;~~
- ~~(3) the mistake is found to be made in good faith and was not deliberate or by reason of gross negligence;~~
- ~~(4) the amount of the error or mistake is equal to or greater than three percent of the total amount bid;~~
- ~~(5) the notice of his mistake and request for withdrawal of the bid by reason of the mistake was promptly communicated to the Chief Engineer within 48 hours after the scheduled time of bid opening. If the Bidder notifies the Chief Engineer verbally, written notice of mistake must be submitted within 48 hours to the Chief Engineer accompanied by copies of bid preparation information;~~
- ~~(6) the Department of Transportation will not be prejudiced or damaged except for the loss of the bid.~~

~~(b) Hearing by Chief Engineer: If a bidder files a notice of mistake along with a request to withdraw his bid, the Chief Engineer (or his designee) will promptly hold a hearing thereon. The Chief Engineer will give to the requesting bidder reasonable notice of the time and place of any such hearing. The bidder may appear at the hearing and present the original working papers, documents or materials used in the preparation of the bid sought to be withdrawn, together with other facts and arguments in support of his request to withdraw his bid. The bidder shall present a written affidavit that the documents presented are the original, unaltered documents used in the preparation of the bid.~~

~~(c) Action by State Highway Administrator: A determination may be made by the administrator that the bidder meets the criteria for withdrawal of the bid as set forth in Paragraph (a) of this Rule upon presentation of clear and convincing evidence by the bidder. The Chief Engineer will present his findings to the State Highway Administrator for action on the bidder's request. The Chief Engineer will advise the Bidder of the Administrator's decision prior to the Board of Transportation's consideration of award.~~

~~(dc) Bid Bond: If a bid mistake is made and a request to withdraw the bid is made, the bid bond shall continue in full force and effect until there is a determination by the Administrator that the conditions in Paragraph (a) of this Rule have been met. The effect of the refusal of the~~

contractor to give payment and performance bonds within ten days after the notice of award is received by him, if award has been made by the Board of Transportation after consideration and denial of the contractor's request to withdraw his bid, shall be governed by the terms and conditions of the bid bond.

*History Note: Authority G.S. 136-18(1); 143B-350(f);
Eff. May 1, 1984;
Amended Eff. October 1, 1993; November 1, 1991.*

19A NCAC 02D .0814 CORRECTION OF BID ERRORS

Bid errors will be corrected in accordance with the Specifications.

~~(a) General: The provisions of this Rule shall apply in waiving irregularities and correcting apparent clerical errors and omissions in the "unit bid price" and the "amount bid" for contract bid items.~~

~~(b) Omitted Unit Bid Price - Amount Bid Completed - Quantity Bid on Is One Unit: In the case of a bid item for which the "amount bid" is completed, but the "unit bid price" is omitted and the "quantity" specified shown in the proposal for the bid item is only one unit, the "unit bid price" shall be deemed to be the same as the amount bid for that bid item and shall constitute the "contract unit price" for that bid item.~~

~~(c) Omitted Unit Bid Price - Amount Bid Completed - Quantity Bid on Is More than One Unit: In the case of a bid item for which "the amount bid" is completed (extension of the "unit bid price" by the quantity) but the "unit bid price" is omitted and the quantity shown in the proposal for the bid item is more than one unit, the "unit bid price" shall be deemed to be the amount derived by dividing the "amount bid" for that item by the quantity shown in the proposal for that bid item and shall constitute the "contract unit price" for that bid item.~~

~~(d) Discrepancy in the "Unit Bid Price" and the "Amount Bid": In the case of a bid item in which there is a discrepancy between the "unit bid price" and the extension for the bid item ("amount bid"), the "unit bid price" shall govern. As an exception to Paragraphs (a), (b), and (c) of this Rule, on bids for contracts not funded with any Federal funds, the extension for the bid item ("amount bid") shall govern when the discrepancy consists of an obvious clerical mistake in the "unit bid price" consisting of the misplacement of a decimal point. The correction to the "unit bid price" will be made only when the following two conditions are met:~~

~~(1) The corrected "unit bid price" multiplied by the quantity equals the "amount bid" for the bid item.~~

~~(2) The corrected "unit bid price" is closer to the average of the engineer's estimate and the individual bids for the contract item than the uncorrected "unit bid price".~~

~~(e) Omitted "Unit Bid Price" and Omitted "Amount Bid" - Deemed "Zero" Bid: The provisions of this Paragraph shall apply only to bids for contracts not funded with any Federal funds. In the case of omission of the "unit bid price" and the omission of the "amount bid" for any one item and also in the case of the omission of the "amount bid" where a lump-sum price is called for, the "amount bid" and the "unit bid price" shall be deemed to be zero where the value of the omitted "amount bid" is one percent or less of the "total amount bid" for the entire project (excluding the omitted item). The value of the omitted "amount bid" will be derived by determining the average of the engineer's estimate and the individual bids for that contract item. Where the "unit bid price" is deemed to be zero as provided in this Paragraph, such zero "unit bid price" shall constitute the "contract unit price" for the affected bid item. Where the "amount bid" for a lump-sum bid item is deemed to be zero as provided in this Paragraph, such zero "amount bids"~~

shall constitute the "contract lump-sum price" for that bid item. This Paragraph shall not apply to the bid item for "Mobilization".

~~(f) Unit bid prices containing more than four decimal places: In the case of a Bid Item for which the "amount bid" contains more than four decimal places for the "Unit Bid Price", only the whole number and the first four decimal places shall constitute the "Contract Unit Price" for that Bid Item.~~

*History Note: Authority G.S. 136-18(1); 143B-350(f);
Eff. May 1, 1984;
Amended Eff. October 1, 1993; November 1, 1991.*

19A NCAC 02D .0815 REJECTION OF BIDS

(a) Any bid submitted which fails to comply with any of the requirements of Rules .0808, and-0809 ~~or .0811~~ of this Section will be considered irregular and may be rejected.

(b) Irregularities due to apparent clerical errors and omissions may be waived in accordance with Section 103-2 of the Standard Specifications, ~~of this Section.~~

(c) Any bid including any unit or lump-sum bid price which is unbalanced to the potential detriment of the Department will be considered irregular and may be rejected. In the event the Board determines it is in the best public interest to accept such irregular bid, it may award the contract based on such bid subject to the provisions of subarticle 109-4(B) of the *Standard Specifications for Roads and Structures*.

(d) In addition to Paragraphs (a), (b), and (c) of this Rule, any bids for contracts not funded with any Federal funds which are submitted by any bidder who has failed to obtain the appropriate General Contractor's license, as required by Chapter 87 of the General Statutes of North Carolina, will be considered irregular and will not be considered for award.

*History Note: Authority G.S. 136-18(1); 143B-350(f);
Eff. April 3, 1981;
Recodified from 19A NCAC 02D .0813;
Amended Eff. October 1, 1993; November 1, 1991; March 1, 1984.*

19A NCAC 02D .0816 DISQUALIFICATION OF BIDDERS

(a) The Department may disqualify a contractor from further bidding until he has applied for and has been requalified in accordance with Rule .0801 of this Section for any of the following reasons:.

- (1) unsatisfactory progress in accordance with the terms and conditions of existing or previous contracts as specified in Article 108-8 or Article 105-7 of the *Standard Specifications for Roads and Structures*.
- (2) uncompleted contracts which, in the judgment of the Chief Engineer, may hinder or prevent the timely completion of additional work if awarded.
- (3) failure to comply with Article 108-6 of the *Standard Specifications for Roads and Structures*.
- (4) failure to satisfy the Disadvantaged Business Enterprise requirements of the project special provisions.

- (5) failure to submit the documents required by Article 109-10 of the Standard Specifications for Roads and Structures within 60 days after being requested by the Engineer, or the submission of false information.
- (6) direct personal recruitment of DOT employees for employment if:
 - (A) the personal contact is initiated by the contractor;
 - (B) the employee works either for the DOT Construction Unit or in construction operations of any of the 14 Highway Divisions in a capacity of direct involvement with highway construction work; and
 - (C) the employee has decision-making authority for the current project on which the employee and contractor are currently working.
- (7) failure to return overpayments as directed by the Engineer.
- (8) Low ratings on annual prequalification/requalification reviews may cause the Contractor or subcontractor to be disqualified.

(b) The Department shall disqualify a contractor from further bidding until he has applied for and has been requalified in accordance with Rule .0801 of this Section for any of the following reasons:

- (1) being declared in default in accordance with Article 108-9 of the Standard Specifications for Roads and Structures.
- (2) failure to comply with prequalification requirements.
- (3) the submission of more than one bid for the same contract by an individual, partnership, joint venture, or corporation prequalified under the same Prequalification Number.
- (4) evidence of collusion among bidders; each participant in such collusion shall be disqualified.
- (5) failure to furnish a non-collusion affidavit or debarment certification upon request.
- (6) failure to comply with a written order of the Engineer as provided in Article 105-1 of the Standard Specifications for Roads and Structures or oral directives given by the Department's project personnel, if in the judgment of the Chief Engineer-Operations such failure is of sufficient magnitude to warrant disqualification.
- (7) the Department has not received the amount due under a forfeited bid bond or under the terms of a performance bond.
- (8) False information submitted on any application, statement, certification, report, records and/or reproduction.

Conviction of any employee of company, of any applicable state or federal law, may be fully imputed to the business firm which he is or was associated or by whom he was employed or with the knowledge or approval of the business firm or thereafter ratified by it.

- (9) Being debarred from performing work with other city, state, and federal agencies.
- (10) Failure to perform guaranty work within the terms of the contract.

(c) Upon a determination that a contractor should be disqualified for one or more of the reasons listed in Paragraph (a) or (b) of this Rule, the Department may remove all entities prequalified under the same Prequalification Number.

*History Note: Authority G.S. 136-18(1); 136-28.1; Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0814;*

Amended Eff. April 1, 1999; December 1, 1994; October 1, 1993; November 1, 1991.

19A NCAC 02D .0817 CONSIDERATION OF BIDS

Bids will be considered for award in accordance with the contract documents.

~~After the bids are opened and read, they will be compared on the basis of the summation of the products of the quantities shown in the bid schedule by the unit bid prices. The results of such comparisons will be immediately available to the public. In the event of errors, omissions, or discrepancies in the bid prices, corrections to the bid prices will be made in accordance with the provision of Rule .0814 of this Section. Such corrected bid prices will be used for the comparison and consideration of bids.~~

~~The Board of Transportation may reject any or all bids, waive technicalities, request the low bidder submit an up-to-date financial and operating statement, advertise for new bids, or proceed to do the work otherwise, if in the judgement of the Board, the best interests of the State will be promoted thereby.~~

*History Note: Authority G.S. 136-18(1); 136-28.1; 143B-350(f);
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0815;
Amended Eff. October 1, 1993; November 1, 1991; May 1, 1984.*

19A NCAC 02D .0818 NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION

(a) In compliance with Section 112(c) of title 23 USC, and rules of the Department ~~all applicable Federal and State laws and regulations~~, each and every bidder shall furnish the Department with an affidavit certifying that the bidder has not entered into any agreement, participated in any collusion, otherwise taken any action in restraint of free competitive bidding in connection with his bid on the project. The affidavit shall also indicate that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

(b) The contractor shall furnish the Department with a debarment certification. In the event the contractor cannot certify that he is not debarred, the contractor shall provide a written explanation as shown in the certification document.

~~(b) Affidavit forms will be included in the proposal form as part of the signature sheets. Execution of the signature sheets will also constitute execution of the non-collusion affidavit. The signature sheets shall be notarized.~~

~~(c) A non-collusion certification shall be executed by prime contractors and lower tier participants in each transaction involving public funds. Transactions which require certifications from lower tier participants are:~~

- ~~(1) Transactions between a prime contractor and a person, other than for a procurement contract, for goods or services, regardless of type.~~
- ~~(2) Procurement contracts for goods and services, between a prime contractor and a person, regardless of type, expected to equal or exceed the Federal small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) [currently twenty-five thousand dollars (\$25,000)] under a prime contract.~~
- ~~(3) Procurement contracts for goods or services between a prime contractor and a person, regardless of the amount, under which that person will have a critical~~

~~influence on or substantive control over the transaction. Such persons include, but are not limited to, bid estimators and contract managers.~~

~~The certifications for both the prime contractor and the lower tier participants shall be on a form furnished by the Department of Transportation to comply with Federal Highway Administration requirements, as published in 49 CFR Part 29. The prime contractor is responsible for obtaining the certifications from the lower tier participants and is responsible for keeping them as part of the contract records.~~

History Note: Authority G.S. 136-18(1); 136-28.1; 143-54;

Eff. April 3, 1981;

Recodified from 19A NCAC 2D .0816;

Amended Eff. October 1, 1993; November 1, 1991; October 1, 1991; July 1, 1982.

19A NCAC 02D .0819 AWARD OF CONTRACT

Contracts will be awarded in accordance with the Specifications

~~(a) General: When a contract is awarded, it will be made by the Board of Transportation to the lowest responsible bidder as determined by the Board. The lowest responsible bidder will be notified by letter that his bid has been accepted and that he has been awarded the contract. This letter shall constitute the notice of award. The notice of award, if the award be made, will be issued within 60 days after the opening of bids, except that with the consent of the lowest responsible bidder the decision to award the contract to such bidder may be delayed for as long a time as may be agreed upon by the Department and such bidder. In the absence of such agreement, the lowest responsible bidder may withdraw his bid at the expiration of the 60 days without penalty if no notice of award has been issued.~~

~~Award of a contract involving any unbalanced bid price(s) may be made in accordance with the provisions of Article 102-15 of the Standard Specifications for Roads and Structures.~~

~~(b) Award Limits: A Bidder who desires to bid on more than one project or which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the form "Award Limits on Multiple Projects" for each project subject to the award limit. This form will be bound within each proposal form. This form will not be effective unless the amount is filled in and the form is properly signed. In the event that a Bidder is the lowest responsible Bidder on projects subject to the award limit and the value of such projects is more than the "award limit" established by such Bidder, the Board of Transportation will not award such Bidder projects from among those subject to the award limit which have a total value exceeding the award limit. The projects to be awarded to the Bidder will be those projects on which award will result in the lowest total cost to the Department of Transportation.~~

~~In determining the lowest total cost to the Department, the options of rejecting a bid or readvertising for new bids may be considered.~~

~~All bids submitted without the properly executed form "Award Limits on Multiple Projects" will not be subject to the award limit. In the event that there is a discrepancy between the completed~~

~~award limit forms submitted by the same Bidder for the different projects in a letting, the Department may declare all such award limit forms invalid or to make such interpretation of the discrepancy as may be in the best interests of the Department. However, the presence of such discrepancy shall not be reason for declaring any bid irregular nor shall it invalidate the conditions of his bid bond or bid deposit.~~

~~Where a prequalified Contractor bids individually (as opposed to a Joint Venture) on one or more projects and also bids on one or more projects as part of a Joint Venture, such individual Bidder and such Joint Venture will be considered separate bidders in applying the provisions of this Rule.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0817;
Amended Eff. October 1, 1993; November 1, 1991.*

19A NCAC 02D .0820 CANCELLATION OF AWARD

The Board of Transportation may rescind the award of any contract at any time before the receipt of the properly executed contract bonds from the successful bidder.

*History Note: Authority G.S. 136-18(1); 136-28.1; 143B-350(f);
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0818;
Amended Eff. October 1, 1993; November 1, 1991.*

19A NCAC 02D .0821 RETURN OF BID BOND OR BID DEPOSIT

Bonds will be returned as set forth in the Specifications.

~~All bid bonds will be retained by the Department until the contract bonds are furnished by the successful bidder, after which all such bid bonds will be destroyed unless the individual bid bond form contains a note requesting that it be returned to the bidder or the surety. Checks which have been furnished as a bid deposit by all bidders other than the three lowest responsible bidders pursuant to G.S. 143-129 will be retained not more than 10 days after the date of opening of bids. After the expiration of such period, Department of Transportation warrants in the equivalent amount of checks which were furnished as a bid deposit will be issued. Checks which have been furnished as a bid deposit by the three lowest responsible bidders pursuant to G.S. 143-129 will be retained until after the contract bonds have been furnished by the successful bidder, at which time Department of Transportation warrants in the equivalent amount of checks which were furnished as a bid deposit will be issued.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0819;
Amended Eff. December 1, 1993; November 1, 1991.*

19A NCAC 02D .0822 CONTRACT BONDS

Contract bonds shall be submitted in accordance with the Specifications.

~~The successful bidder, within 14 calendar days after the notice of award is received by him, shall provide the Department with a contract payment bond and a contract performance bond each in an amount equal to 100 percent of the amount of the contract. All bonds shall be in conformance with G.S. 44A-33. The corporate surety furnishing the bonds shall be authorized to do business in the State.~~

*History Note: Authority G.S. 44A-33; 136-18(1);
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0820;
Amended Eff. December 1, 1992; November 1, 1991.*

19A NCAC 02D .0823 EXECUTION OF CONTRACT

The contract will be executed as set forth in the contract documents.

~~As soon as possible following receipt of the properly executed contract bonds, the Department will complete the execution of the contract, retain the original contract, and return one certified copy of the contract to the contractor.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0821;
Amended Eff. November 1, 1991.*

19A NCAC 02D .0824 FAILURE TO FURNISH CONTRACT BONDS

The successful bidder's failure to furnish contract bonds will be handled as set forth in the Specifications.

~~The successful bidder's failure to file acceptable bonds within 14 calendar days after the notice of award is received by him shall be just cause for the forfeiture of the bid bond or bid deposit and rescinding the award of the contract. Award may then be made to the next lowest responsible bidder or the work may be readvertised and constructed under contract or otherwise, as the Board of Transportation may decide.~~

*History Note: Authority G.S. 136-18(1);
Eff. April 3, 1981;
Recodified from 19A NCAC 2D .0822;
Amended Eff. December 1, 1992; November 1, 1991.*

19A NCAC 02D .0825 CONFIDENTIALITY OF COST ESTIMATES AND PLAN HOLDER LISTS

~~(a) All cost estimates prepared for the purpose of comparing bids, and the names and identity of corporations, firms, partnerships, individuals or joint venturers who have requested plans or proposal forms for the purposes of bidding, will be confidential and will not be disclosed until after the opening of bids. except as provided in Paragraph (c) of this Rule.~~

~~(b) This information shall be furnished to the Federal Highway Administration in accordance with written rules, regulations, policies and procedures of the Federal Highway Administration.~~

~~(c) The list of the remaining plan holders shall be made public twice between the date of advertisement and the letting date through the Department's Supportive Service contractor and other agents so designated by the State Highway Engineer -- Design, except that a potential bidder who obtains a set of plans/proposals for a project may request that his name remain confidential at the time he requests the plans/proposals.~~

*History Note: Authority G.S. 133-33;
Eff. September 1, 1981;
Amended Eff. May 1, 1983;
Recodified from 19A NCAC 2D .0823;
Amended Eff. February 1, 1995; October 1, 1993; October 1, 1991.*

19A NCAC 02D .0826 AWARD LIMITS ON MULTIPLE PROJECTS

*History Note: Authority G.S. 136-18(1);
Eff. July 1, 1983;
Recodified from 19A NCAC 2D .0824;
Repealed Eff. November 1, 1991.*

19A NCAC 02D .0827 SUBSURFACE INFORMATION (IN SPECIFICATIONS)

~~If subsurface information is available on a project, a copy of the subsurface information may be obtained from the department. A copy of the subsurface information will be mailed to plan holders upon request.~~

~~The subsurface information and the subsurface investigation on which it is based are made for the purpose of study, planning, and design, and not for construction or pay purposes. The various field boring logs, rock cores, and soil test data available may be reviewed or inspected in Raleigh at the Highway Building by contacting the Geotechnical Unit. Neither the subsurface information nor the field boring logs, rock cores, or soil test data is part of the contract.~~

~~General soil and rock strata description and indicated boundaries are based on geotechnical interpretation of all available subsurface investigations and may not necessarily reflect the actual subsurface conditions between borings or between sample strata within the borehole. The laboratory sample and the in situ (in-place) test data can be relied on only to the degree of reliability inherent in the standard test method. The observed water levels or soil moisture conditions indicated in the subsurface investigation are as recorded at the time of the investigation. These water levels or soil moisture conditions may vary considerably with time according to climatic conditions including temperature, precipitation and wind, as well as other nonclimatic factors.~~

~~Details shown on the subsurface information are preliminary only and in many cases the final design details are different. For bidding and construction purposes, the construction plans and~~

~~documents contain the final design information on this project. The department does not warrant or guarantee the sufficiency or accuracy of the investigation made, nor the interpretations made or opinions of the department as to the type of materials and conditions to be encountered. The bidder or contractor shall make such independent subsurface investigations as he deems necessary to satisfy himself as to conditions to be encountered on this project. The contractor shall have no claim for additional compensation or for an extension of time for any reason resulting from the actual conditions encountered at the site differing from those indicated in the subsurface information.~~

*History Note: Authority G.S. 136-18(1); 143B-350(f)(3);
Eff. March 1, 1984;
Amended Eff. April 1, 1984;
Recodified from 19A NCAC 2D .0825;
Amended Eff. October 1, 1993.*

19A NCAC 02D .0828 ~~COMPUTER BID PREPARATION~~ ELECTRONIC BIDDING (NEW TITLE TO REFLECT BUSINESS PRACTICES NOW)

When required by the Department in the contract documents, the bidder shall submit bids electronically.

~~(a) A diskette to assist the Bidder in preparing his bid by means of a personal computer will be furnished by the Department if so requested by the Bidder at the same time he orders a proposal form. The diskette will contain an identical copy of the itemized proposal sheets included in the proposal and computer program which may be used to prepare a bid on the sheets. The bid diskette will function properly with an IBM personal computer or compatible computer using DOS.~~

~~(b) The only entries into the program which will be permitted by the bidder are the appropriate unit or lump-sum prices for those items which must be bid in order to provide a complete bid for the project. Unit prices shall be rounded off to four decimal places. When these entries have been made, the program will automatically prepare and print a complete set of itemized proposal sheets which will include the amount bid for the various items and the total amount bid for the project in addition to the unit or lump-sum prices bid. This set of itemized proposal sheets, when submitted together with the appropriate proposal form, will constitute the bid and shall be delivered to the Department in accordance with Rule .0810 of this Section. If the Bidder submits his bid on computer generated itemized proposal sheets, bid prices shall not be written on the itemized proposal sheets bound in the proposal form. The computer generated itemized proposal sheets shall be signed by the same individual who has signed the proposal form. The bid diskette furnished by the Department shall be returned with the bid.~~

~~(c) In the case of a discrepancy between the unit or lump-sum prices submitted on the itemized proposal sheets and those contained on the diskette furnished to the Department, the unit or lump-sum prices submitted on the itemized proposal sheet shall prevail.~~

~~(d) The provisions of Rule .0808 of this Section will apply to the preparation of bids except that the bid may be submitted on computer generated itemized proposal sheets in which case the entries on the itemized proposal sheets will not be required to be in ink. Changes to any entry on the computer generated itemized proposal sheets shall be made in accordance with Rule~~

~~.0808(6) of this Section. When the Computer Generated Itemized Proposal Sheets are not signed and received with the proposal, this will constitute, no bid received.~~

~~(e) The Department will not be responsible for loss or damage to a bid diskette after it has been mailed to the Bidder. If loss or damage occurs, the Bidder may order another bid diskette.~~

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. November 1, 1991;
Amended Eff. October 1, 1993.*

19A NCAC 02D .0829 CONTRACT OFFICER

*History Note: Authority G.S. 136-18(1); 136-28.1;
Eff. November 1, 1991;
Repealed Eff. October 1, 1993.*

19A NCAC 02D .0830 DEFINITIONS

This Section establishes the Department's rules for letting of contracts to bidders for highway construction or repair. For purposes of this Section, the following definitions and the definitions in the Specifications will apply:

Board of Transportation – The Board created by the provisions of G.S. 143B-350 for the purpose of formulating policies and priorities for the Department of Transportation, and awarding all highway construction contracts.

Contract Documents – The contract documents include the Invitation for Bids, Advertisement, Addenda, proposal, required bonds, Specifications, Supplemental Specifications, Project Special Provisions, general and detailed plans, plan notes, standard drawings, notice to contractor, supplemental agreements, and any other document designated by the Department as a contract document, all of which constitute one instrument.

Disqualify – A measure taken by the Department that may prohibit a bidder or contractor from bidding on new projects, working as a subcontractor or supplier, or a combination of the actions herein.

Engineer – The Chief Engineer of Operations and/or the Director of Construction, Division of Highways, North Carolina Department of Transportation and others acting on their behalf directly or through their duly authorized representative.

Specifications – The general term comprising all the directions, provision, and requirements contained or referred to in the *North Carolina Department of Transportation Standard Specifications for Roads and Structures*, including the supplemental Specifications, together with such additional directions, provisions, and requirements which may be added or adopted as special provisions.

Standard Specifications – The general term comprising all the directions, provisions, and requirements contained or referred to in the *North Carolina Department of Transportation Standard Specifications for Roads and Structures*, and in any subsequent revisions or additions to such book that are issued under the title *Supplemental Specifications*.

Taken off the Bidders' List – A temporary measure taken by the Department that prohibits bidders from bidding for a specified amount of time, due to an infraction of the law, Specifications, or policy.

- (1) ~~"Advertisement" means public advertisement inviting bids for the construction of specific projects.~~
- (2) ~~"Amount Bid" means the total amount bid for a particular item of work in a proposal.~~
- (3) ~~"Bid" means the offer of a Bidder on the proposal form furnished by the Department to perform work and furnish labor and materials at the prices quoted.~~
- (4) ~~"Bidder" means an individual, partnership, firm, corporation, or joint venture formally submitting a bid for the work contemplated.~~
- (5) ~~"Contract" means the executed agreement between the Department of Transportation and the successful Bidder, covering the performance of the work and the compensation for work.~~
- (6) ~~"Disadvantaged Business Enterprise (DBE)" means a small business concern, as defined pursuant to Section 3 of the Small Business Act (15 USC 632), which is:~~
 - (a) ~~Owned and controlled by one or more socially and economically disadvantaged individuals; or~~
 - (b) ~~A firm which has been found to be socially and economically disadvantaged by the Small Business Act under the 8(d) program; or~~
 - (c) ~~A firm which has been certified as socially and economically disadvantaged by the North Carolina Department of Transportation. Such term shall not include disadvantaged individual or individuals with annual gross receipts over the preceding three fiscal years in excess of fourteen million dollars (\$14,000,000) as adjusted by the Department for inflation.~~
- (7) ~~"Extension of Bid Item" means the unit bid price multiplied by the quantity.~~
- (8) ~~"Mobilization" means the preparatory work needed to move necessary personnel, equipment, supplies, and incidentals to the project site in order to begin construction.~~
- (9) ~~"Prebid Conference" means a conference held before bids are accepted on a project to allow Contractors to become more familiar with the project and prepare more accurate bids on difficult projects.~~
- (10) ~~"Proposal Form" means the form provided by the Department on which the offer of the Bidder to perform work at a designated bid price is submitted.~~
- (11) ~~"Successful Bidder" means the firm which is awarded a project.~~
- (12) ~~"Unbalanced Bid" means a bid which generates a reasonable doubt that the award to the low bidder submitting the bid will result in the lost cost to the Department or a bid containing lump sum or unit bid items which do not reflect reasonable actual costs plus a reasonable proportionate share of the bidder's anticipated profit, overhead costs, and other indirect costs.~~
- (13) ~~"Unit Bid Price" means the amount for a particular item based on cost per unit of measure.~~

*History Note: Authority G.S. 136-28.1;
Eff. October 1, 1993.*

Adjournment

There being no further business to come before the Board, the meeting was adjourned.

Chairman,
North Carolina Board of Transportation

Attest: _____
Secretary to the Board of Transportation

Dated this _____ day of _____, 2004